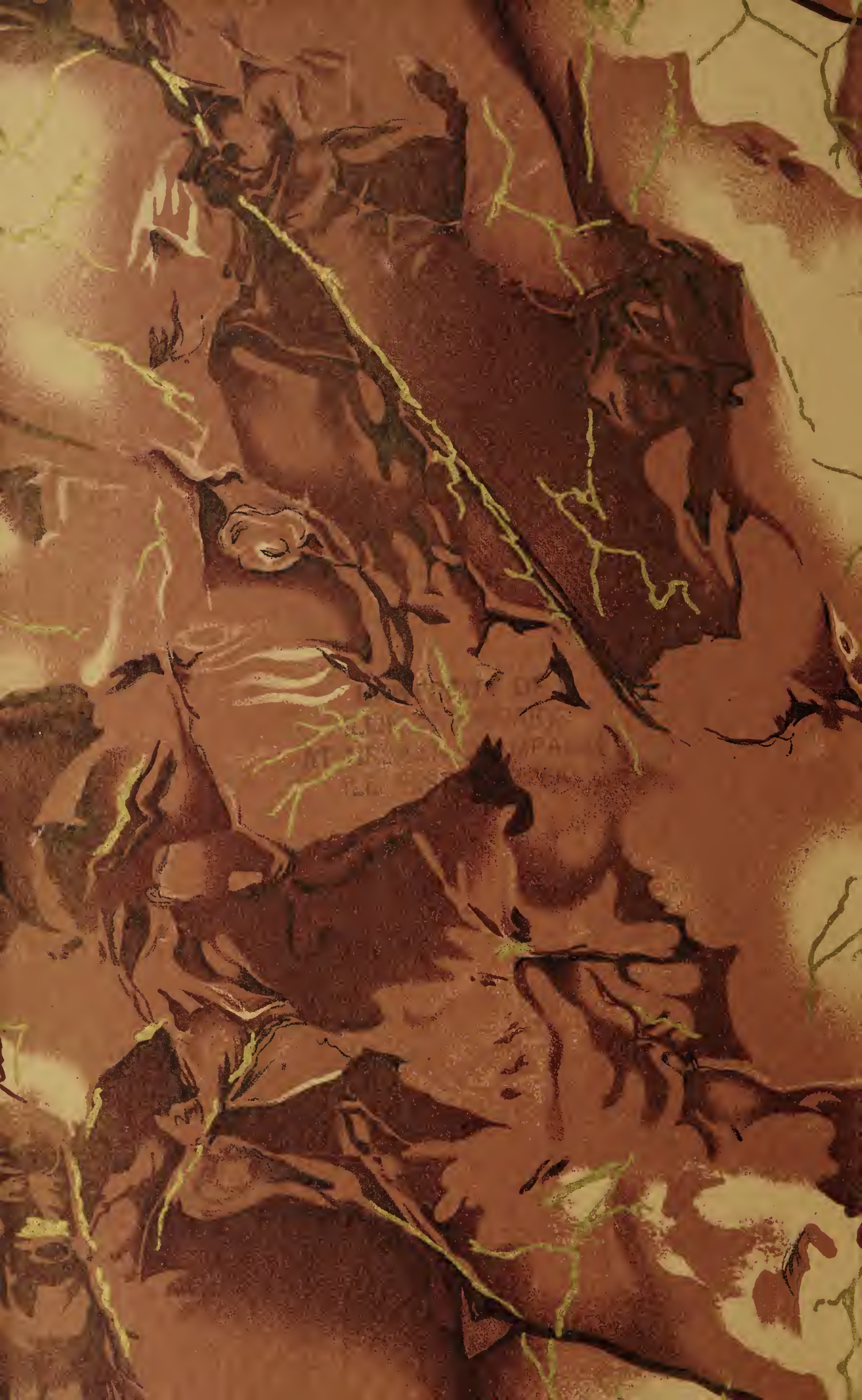


REVISED
ORDINANCES
OF
GARDNER
1914

Harry J. Hansen






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REVISED ORDINANCES
OF THE
VILLAGE OF GARDNER
GRUNDY COUNTY, ILLINOIS

Revised and Published by and under the Authority of
the President and Board of Trustees.

August 10, 1914



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State of Illinois

Department of State

HARRY WOODS, SECRETARY OF STATE

To all to Whom These Presents Shall Come: Greeting;

WHEREAS, a certified copy of the record of the proceedings of the BOARD OF TRUSTEES of the VILLAGE or TOWN of GARDNER, duly authenticated, in the matter of the organization and incorporation, on the THIRTEENTH day of JANUARY, A. D. 1914, of the VILLAGE of GARDNER in the County of Grundy, and State aforesaid, has been filed in the office of the Secretary of State on the TWENTY-SECOND day of JANUARY, A. D. 1914, under and in accordance with the provisions of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and all acts amendatory there of, and

WHEREAS, it appears from the recitals in said record that the provisions of the said acts have been duly complied with,

NOW, THEREFORE, I, HARRY WOODS, Secretary of State of the State of Illinois, by virtue of the power and authority vested in me by law, do hereby certify, that the said VILLAGE of GARDNER is a legally organized and incorporated VILLAGE under the laws of this State.

IN TESTIMONY WHEREOF, I hereto set my hand and the Great Seal of State. Done at the Capitol in the City of Springfield, this 22d day of January, A. D., nineteen hundred and fourteen, and of the Independence of the United States the one hundred and thirty eighth.

HARRY WOODS
Secretary of State.

(SEAL)

GRd Illinois Rectangular Survey 111876

INCORPORATED.

The Village of Gardner was incorporated under the General law on the thirteenth day of January A .D. 1914 and the first election for village officers under the new incorporation was held on the third Tuesday of April, A. D. 1914, when the following officers were duly elected:

President: Frank Bookwalter.

Trustees:

D. R. Keepers,
George A. Williams,
Harry J. Hansen,
James C. Hibner,
E. J. Beam,
L. E. Jenkins.

Clerk: James R. Suffern, and the same are now in office.

ORDINANCE NO. 1.

An Ordinance Relating to Territory.

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner, That the Village of Gardner shall include within its corporate limits all the following described territory, situated in the County of Grundy and State of Illinois, to wit: All of the South Half (S.½) of Section Four (4), and the North Half of the North Half (N. ½ of N. ½) of Section Nine (9), and the piece of land lying between Jackson Street and East Street extending South from the territory last described to the half section line, and known as Price's Second addition to Gardner, all in Township Thirty-one (31), North Range Eight (8) East of the Third Principal Meridian.*

SECTION 2. Other and adjacent premises and territory may be annexed by said Village from time to time and in such manner as by the Statutes of the State of Illinois in such case made and provided.

SECTION 3. Any territory now within the corporate limits of said Village or which may hereafter be included within such corporate limits, may hereafter be detached from said Village in such manner as by the Statutes of the State of Illinois in such case made and provided.

SECTION 4. This Ordinance shall be in force and effect from its passage and approval.

SECTION 5. This Ordinance shall be known as Ordinance No. 1.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: JAS. R. SUFFERN, Village Clerk.

ORDINANCE NO. 2.

An Ordinance Providing for the Corporate Seal of the Village of Gardner.

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner,* That the Corporate Seal of said Village, shall be circular in form, and be so constructed as to impress on paper in the center of said circle the word "SEAL", surrounded by the words "Village of Gardner, Grundy County, Illinois."

SECTION 2. The said seal shall be and remain in custody of the Village Clerk of said village, and his successor in office, to be used by him in all cases provided for by the ordinances of said village, or the laws of the State of Illinois, and in all other cases where, by the laws and customs of any State or Nation, the use of the corporate seal of said village becomes necessary.

SECTION 3. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 4. This Ordinance shall be known as Ordinance No. 2.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

ORDINANCE NO. 3.

An Ordinance Concerning Elections.

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner,* That an election shall be held annually on the third Tuesday in April in each year, for the election of three Trustees, who shall hold their office for the

term of two years, and until their successors are elected and qualified, and at the same time on alternate years beginning with the election of April 1916 one clerk of said village shall be elected, who shall hold his office for the term of two years, and until his successor is elected and qualified, and at the same time every alternate year, beginning with the election of April 1916, one President shall be elected, who shall hold his office for the term of two years, and until his successor is elected and qualified, of which election the Village Clerk shall give at least twenty days notice by having same printed in some newspaper, if there be one published in said village, or posted in three public places in said village, said notices to state the hour for opening and closing the polls, and the officers to be elected, and one of such notices he shall file in his office. Special elections shall be conducted in the same way and upon the same public notice and the returns thereof shall be made and canvassed in like manner as in the case of annual elections.

SECTION 2. At a regular or special meeting of the Board of Trustees held not less than thirty days previous to any general election, and at least twenty days previous to any special village election, the Board of Trustees shall, by resolution, entered upon its journal, designate the place in which said election shall be held, and appoint three judges and three clerks of such election, all of whom shall be electors of said village, and said judges and clerks shall be notified by the Village Clerk of their appointment, not less than ten days before the day of election.

SECTION 3. All elections of this village shall be conducted in accordance with the election laws of this State.

SECTION 4. This Ordinance shall be known as Ordinance No. 3.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

ORDINANCE NO. 4.

An Ordinance Regulating the Meetings of the Board of Trustees.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That the regular meetings of the Board of Trustees shall be on the Second and Fourth Monday evenings of each month, the place of meeting to be in the Town Hall, and the hour to be fixed by resolution.

SECTION 2. If at any such meeting there shall not be a quorum present, those who are present may adjourn the meeting to some time by them designated, and such adjournments may be continued from time to time, and all meetings so adjourned or otherwise from regular meetings shall be meetings for general purposes if a quorum be present.

SECTION 3. Special meetings may be called by the president, whenever in his discretion, it may be necessary, in which event each Trustee (unless absent from the village) shall be notified by the Village Clerk, and the President shall have power to compel the attendance of the Trustees of the Village at a Special Meeting. No business shall be transacted at a Special Meeting except such as are specified in the notices calling the Meeting.

SECTION 4. In case of emergency special meetings may be held without notice thereof having been given as required in Section 3 of this Ordinance, Provided, the President and all the Trustees are present and consent to such a meeting, which consent shall be manifested by signing their respective names to the record of their proceedings of such meeting.

SECTION 5. In case of the absence of the President at any meeting of the Board of Trustees, the members present shall elect one of their number to act as president pro tem of the meeting, and in case of the absence of the President from the Village any two Trustees, if necessary, may call special meetings, notice of which shall be given by the Clerk, the same as if called by the President.

SECTION 6. In case of the absence of the Clerk at any meeting of the Board of Trustees, the President, or in his absence, the President pro tem, shall appoint one of the Trustees, or some other person to act as Clerk pro tem.

SECTION 7. Time of all special meetings shall be fixed in the call, but it shall not be necessary to specify the object of such meeting in the call or notice, Provided, that the object of said meeting at the opening thereof, must be stated by the President or those calling the meeting.

SECTION 8. It shall be the duty of the President, the clerk and each of the Trustees to attend promptly at each regular and special meeting of the Board of Trustees, at the hour appointed for the meeting, and in default thereof, or on failure to do so, he shall forfeit and pay a penalty of one dollar for each omission to attend as aforesaid, unless his absence is unavoidable—what shall constitute unavoidable absence to be determined in every case by the majority of the members present at such meeting, and if anyone of the above members, president or clerk shall absent himself from any of said meetings before a regular and formal adjournment thereof, without leave of the board shall be subject to a like penalty.

SECTION 9. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 10. This Ordinance shall be known as Ordinance No. 4.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

ORDINANCE NO. 5.

Ordinance Concerning Officers and their Duties.

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner*, That the officers of the

Village of Gardner shall consist of A President, Six Trustees and one Clerk all of whom to be elected for the term of two years.

SECTION 2. The President and Board of Trustees shall hold a meeting at the commencement of the municipal year, and appoint a treasurer, a village constable, and if deemed necessary a street commissioner and a pound master, who shall hold their offices during the municipal year for which they are appointed, unless sooner removed, and until their successors are appointed and qualified.

SECTION 3. All officers of said village whether elected or appointed, shall before entering upon the duties of their respective offices take and subscribe to the following oath or affirmation:

“I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of.....according to the best of my ability.”

Which oath or affirmation shall be filed in the office of the village clerk; and all such officers, except the trustees, shall before entering upon the duties of their respective offices, execute a bond, with security to be approved by the board of trustees, payable to said village, in such penal sum as may, by resolution be directed by said board of trustees, conditioned for the faithful performance of the duties of his office, and the payment of all monies received by such officer according to law and the ordinances of said village, PROVIDED, however, that in no case shall the bond of the President be fixed at a less sum than \$500.00, nor shall that of the treasurer be fixed at a less sum than the estimated tax and special assessments of the current year. All such bonds shall be filed with the clerk except that of the clerk, which shall be filed with the treasurer.

SECTION 4. No person shall be eligible to any office who is not a qualified elector of the village, and who shall not have resided therein at least one year next preceeding his election

or appointment, nor shall any person be eligible to any office who is a defaulter to the corporation.

SECTION 5. *Commission Certificate Delivery to Successor.* All officers elected or appointed under this Ordinance (except the clerk, president and trustees) shall be commissioned by warrant, under the corporate seal, signed by the clerk and the President of the Board of Trustees, the President shall issue a certificate of appointment or election under the seal of the corporation to the clerk thereof, and any person having been an officer of the village, shall within five days after notification, and request, deliver to his successor in office all property, books, and effects of every description in his possession, belonging to the village, or appertaining to his said office; and upon his refusal to do so shall be liable for all damages caused thereby, and to such penalty as may be by ordinance prescribed.

SECTION 6. The President shall be the chief Executive Officer of the Village of Gardner. He shall be a citizen of the United States and a qualified elector and shall reside within the corporate limits of the Village. His term of office shall be for a period of two years or until his successor is elected and qualified.

SECTION 7. The Village President shall preside at all the meetings of the Board of Trustees, but shall not vote except in case of a tie, when he shall give the casting vote.

SECTION 8. He may release any prisoner imprisoned for violation of any ordinance of the Village and shall report such release, with the cause thereof to the Board at its first session thereafter.

SECTION 9. He shall annually and from time to time give the Board of Trustees information relative to the affairs of the Village and shall recommend for their consideration such measures as he may deem proper and expedient.

SECTION 10. He shall cause to be enforced all the ordinances of the Village of Gardner and shall perform such other

duties as may be required of him by law and the ordinances of the Village.

SECTION 11. When any vacancy shall occur in the office of president, when the unexpired term shall be one year or over from the date when the vacancy occurs, it shall be filled by an election. If the vacancy is less than one year, the board of trustees shall elect one of their own number to act as president, until the next annual election and until his successor is elected and qualified. If the president at any time during the term of his office, shall remove from the limits of the village, his office shall thereby become vacant.

Duties of Trustees.

SECTION 12. No person shall be eligible to the office of Trustee unless he shall be a citizen of the United States and a qualified elector and shall reside within the limits of said Village, and no member of the Board of Trustees shall at the same time hold any other office under the Village government.

SECTION 13. It shall require a majority of all the Trustees elected to constitute a quorum for the transaction of business, but a less number may organize and adjourn from day to day, and may compel the attendance of absent members.

SECTION 14. The President, immediately after being installed into office, shall appoint the following committees, to consist of three members each, to-wit: on finance and claims; on judiciary; on streets and alleys; on licenses; on fire and water; on Village property and on health; who shall hold their offices for one year, or until their successors are appointed. When a vacancy occurs in any of the above committees, the President shall fill the same forthwith. The President shall be ex-officio a member of each committee.

SECTION 15. It shall be the duty of the standing committees to keep a close watch of the affairs of their respective departments of the Village Government. They shall have the general management, control, and supervision over all the works, and things in their respective departments, and they

shall make reports to the Village Board of whatever facts may be deemed of importance. Each committee shall promptly and thoroughly investigate and report in writing upon all matters referred to it by the Village Board, and do and perform such other and further duties as the Village Board may, from time to time by ordinance, resolution or motion direct.

SECTION 16. The Board of Trustees shall not add to the corporation expenses in any one year anything over and above the amount provided for in the annual appropriation ordinance of that year except in the manner and for the purposes specified in paragraph 3 Article VII of the Cities and Villages act.

SECTION 17. If a vacancy shall occur in the office of a Trustee, by death, resignation, removal or otherwise, such vacancy shall be filled by an election.

SECTION 18. *Duties of Clerk.* The Clerk shall keep the corporate seal, to be provided under the direction of the Board of Trustees, and use it on all cases where necessary, he shall keep all papers belonging to said village, he shall attend all meetings of the Board of Trustees, and keep a full record of its proceedings in the journal; and copies of all papers filed in his office, and transcripts from the journals and other records and files in his office, certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced.

SECTION 19. *Record of Ordinances.* The Clerk shall record in a book kept for that purpose all ordinances passed by the Board of Trustees, and at the foot of the record of each ordinance so recorded shall make memorandum of the date of passage and of the publication or posting of such ordinance, which record and memorandum, or a certified copy thereof shall be prima facia evidence of the passage and legal publication or posting of such ordinance for all purposes whatever.

SECTION 20. He shall draw all orders and keep a complete financial account of the transactions of the village. He shall keep a full and complete exhibit of all the financial trans-

actions of said village, to be entered upon such books as are provided for that purpose, including in such exhibit all accounts against said village as the same may be allowed, and orders granted by the Board of Trustees and to whom granted, and on what account.

SECTION 21. He shall keep in his office and safely preserve all books, papers and documents pertaining to his office; he shall provide at the expense of the village, all necessary books, blanks and stationery for the use of said village; keep a correct account between the village and the treasurer by charging the treasurer with all money received by him, as shown by his duplicate receipts, and crediting him with all money paid out by him by order of the President and Board of Trustees, and keep in his office memoranda thereof showing the date of each order, the amount, in whose favor and for what purpose the same was drawn; and with such other credits as he may be entitled to by law and village ordinances, make out and sign in conjunction with the President of the Board of Trustees all orders drawn upon the treasurer, by order of the President and Board of Trustees, and in conjunction with the President, shall sign all ordinances, bonds, deeds, leases and licenses and affix the seal of the village thereto, and perform all other duties which by usage and custom devolve upon the clerks and secretaries of corporate bodies, and for his services he shall receive such compensation as the President and Board of Trustees may provide.

SECTION 22. The village clerk shall exercise a general supervision over all the officers of the corporation charged in any manner with the receipt, collection or disbursement of corporation revenues, and the collection and return of all such revenues into the treasury. He shall have the charge, custody and control of all deeds, leases, warrants, vouchers, books and papers of any kind, the custody and control of which is not herein given to any other officers; and he shall, on or before the fifteenth day of May, in each year and before the annual appropriations to be made by the board of trustees,

submit to the board of trustees a report of his estimates, as nearly as may be, of money necessary to defray the expenses of the corporation during the current fiscal year. He shall, in said report, class the different objects and branches of expenditure, given as nearly as may be, the amount required for each; and for the purpose of making such report, he is authorized to require of all officers their statement, of the condition and expenses of their respective offices or departments, with any proposed improvements and the probable expense thereof, all contracts made and unfinished, and the amount of any and all unexpended appropriations of the preceeding year. He shall in such report, show the aggregate income of the preceeding fiscal year, from all sources, the amount of liabilities outstanding upon which interest is to be paid, the bonds and debts payable during the year, when due and when payable; and in such report he shall give such other information to the board of trustees as he may deem necessary, to the end that the board of trustees may fully understand the money exigencies and demands upon the corporation for the current year.

SECTION 23. Whenever a vacancy shall occur in the office of clerk during the first year of the term, such vacancy shall be filled for the remaining year of the term at the next annual election of trustees, and during the period from the time any vacancy occurs until a clerk is elected and qualified, as above provided, such vacancy may be filled by appointment by the president and board of trustees.

SECTION 24. *Treasurer's duty.* It shall be the duty of the Treasurer of said village to receive all money belonging to said village, and to keep a correct account of the same showing, when, from whom and on what account received, and to whom, and on what account paid out. He shall give every person paying any money into the treasury duplicate receipt therefor, one to be filed with the village clerk by such person, but in the event of the failure of such person to file such duplicate receipt with the clerk, it shall be the duty of the Village Treasurer to file a copy of such receipts with clerk at the time of rendering

his monthly statement, he shall render to the President and Board of Trustees, at their second regular meeting in each month, a report (under oath), showing the state of the treasury at the date of such report, and the balance of money in the treasury, which report he shall accompany with a detailed statement of all money received into the treasury from the date of the last report, together with all orders redeemed and paid by him, which orders he shall stamp or mark "paid", and he shall deliver the same, with any and all other vouchers held by him to the village clerk, upon every day of such settlement to be filed in the clerk's office, he shall pay out all money that may be ordered by the President and Board of Trustees, upon orders signed by the President and countersigned by the village clerk, and keep a register of all orders paid, describing such orders by showing the date, amount, number, the fund from which it is paid, and the name of the person to whom, and when paid, he shall, annually during the first ten days of April, make out and file with the clerk a full and detailed statement or account of all receipts and expenditures of the village as shown by the books of his office up to the date of the statement, and of all his transactions as such treasurer during the preceeding year, and from the preceeding annual account of the treasurer, and shall show in such account the state of the treasury at the close of the fiscal year, which account or statement the village clerk shall immediately cause to be published in a newspaper printed in said village, if there be one, if not, then by posting in a public place in his (the clerk's) office. All orders drawn upon the treasurer must be signed by the President of the Board of Trustees and countersigned by the village clerk, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable; and no money shall be otherwise paid than upon such orders drawn, except as otherwise expressively provided. All money received on special tax or assessment shall be held by the treasurer as a special fund to be applied to the improvement or indebtedness for which such assessment or tax was made, and said money shall be used for no other purpose whatever, unless to reimburse such corporation

for such improvement in the liquidation of such indebtedness, for his services the Village Treasurer shall receive such compensation as the President and Board of Trustees may fix and allow.

SECTION 25. *Duties of Village Constable.* The Village Constable shall be the conservator of the peace within the corporate limits of the village; shall execute all processes issued by the Police Magistrate or any Justice of the Peace in said village, in any suit, case or action, commenced for the recovery of any fine, penalty or forfeiture for the violation of any of the ordinances of the village, and he shall arrest on view, without process, any person whom he may find disturbing the peace by being drunk, either upon the street or in any public house, park or other public grounds within the corporate limits of the village, or any person whom he shall find in any way disturbing the peace, quiet and good order of the village, by fighting, threatening to fight, or by using loud, boisterous noises, or using obscene language, or by profane swearing or by quarreling, or by doing any other act tending to create a disturbance of the peace within the village; and shall convey such person, so arrested immediately before the Police Magistrate, or some Justice of the Peace of the village, and set forth before said Police Magistrate or Justice of Peace, the offence with which such person or persons so arrested is charged, to be dealt with according to law and the ordinances of said village, to visit any part of the village when he shall know or have reason to believe that a breach of the peace or violation of the laws of the state, or any ordinance of the village has been, or is about to be committed, inquire into the facts thereof and to arrest and bring to trial every person guilty thereof, to cause to be abated all nuisances within the limits of said village; to frequently visit and carefully watch every licensed dramshop, and to report to the President of the Board of Trustees, in writing every person he knows, or has reason to believe, is guilty of violating the ordinances of the village concerning the sale of liquors, stating in such report by whom, when and in what respect said ordinance was violated, and giv-

ing the name of all persons he knows or has reason to believe were witnesses to such violation, which report shall be filed in the office of the Village Clerk, to serve all notices required of him to be served by the village clerk, to keep all the sidewalks clear from obstruction, and shall remove, or cause to be removed or abated, all nuisances from within the corporate limits of said village; he shall, with his assistants be at his post of duty at the time required of him by the Board of Trustees of said village for the purpose of executing the duties of his office, he shall be active and vigilant in the discharge of his duties, and cause, to the best of his ability the ordinances of said village to be rigidly enforced, he shall also perform such other duties as are now, or hereafter may be required of him by ordinance or resolution, or order of the President and Board of Trustees, and for his services he shall receive such compensations as the President and Board of Trustees may, from time to time provide.

SECTION 26. *Duties of Street Commissioner.* It shall be the duty of the Street Commissioner under the direction of the President and Board of Trustees, to superintend and personally supervise the opening, altering, closing, grading or repairing of all streets, alleys or avenues within said village, and all sewers and street crossings, to keep and render to the village clerk, a correct account of the services performed by the employees of the village in and upon said streets, alleys and sidewalks, and to perform such other services as may be required of him, by ordinance or by resolution of the Board of Trustees, and for his services he shall receive such compensation as the President and Board of Trustees may provide.

SECTION 27. Any officer appointed by the President and Board of Trustees may be removed by the President, by giving his reasons in writing, at the first regular meeting, or he may be removed by the Board of Trustees by a two-thirds vote, whenever the President and Board of Trustees shall deem the interest of the village require such removal, provided, that no such officer shall be removed as aforesaid without first being notified by the President or Village Clerk of such intended removal and the

grounds therefor, and shall have the opportunity to exculpate himself before the President and Board of Trustees, from the charges against him.

SECTION 28. Whenever any vacancy shall occur in any manner whatever, in any of the appointive offices provided for in this ordinance, the President and Board of Trustees shall fill such vacancy at their next regular meeting, unless the interests of the village require that it be done sooner, in which event a special meeting may be called for that purpose as provided by ordinance.

SECTION 29. No officer shall be directly or indirectly interested in any contract, work or business of said village, or the sale of any article, the expense, price or compensation of which is paid from the village treasury, or by any assessment levied by any act or ordinance; nor in the purchase of any real estate or other property belonging to the corporation, or which shall be sold for taxes or assessments, or by virtue of any legal process at the suit of the corporation.

SECTION 30. No President, Trustee, Clerk or Treasurer, shall hold any other office under the village government during his term of office.

SECTION 31. The President, Trustees, and constable, shall be conservators of the peace, and as such, shall exercise the power conferred on them under Section 83, Chapter 24, Revised Statutes of Illinois.

SECTION 32. Any constable or sheriff of Grundy county, Illinois, may serve any process or make any arrest, authorized to be made by any village officer.

SECTION 33. The President and village clerk shall administer oaths and affirmations upon all lawful occasions.

SECTION 34. The fees, salary or compensation of no village officer, who is elected or appointed for a definite term, shall be increased or diminished during such term.

SECTION 35. As a full compensation for the discharge of the duties of their respective offices, as the same are or may be defined by law, or by any ordinance of said village now or here-

after in force, the hereinafter named officers shall be paid as follows — that is to say:

Each trustee shall receive the sum of \$2.00 for each meeting of the board of trustees actually attended by him, and no other compensation shall be allowed any trustee.

The President shall receive the sum of \$2.00 for each and every meeting actually attended by him, and no other compensation shall be allowed to any president.

The village clerk shall receive a salary of \$100.00 per annum, and such fees as may be allowed him under the laws of the State of Illinois or the ordinances of said village.

The treasurer shall receive a salary of \$25.00 per annum.

The village constable shall receive a salary of \$660.00 per annum, and such fees as may be allowed him under the laws of the State of Illinois or the ordinances of said village.

All salaries shall be paid in equal monthly payments at the rate per annum aforesaid, for the period only such officers shall hold their respective offices.

SECTION 36. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 37. This Ordinance shall be known as Ordinance No. 5.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

(SEAL)

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

ORDINANCE NO. 6.

Style of Ordinances.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That all Ordinances of said village shall be in the following style; “*Be it ordained by*

the President and Board of Trustees of the Village of Gardner," and may be designated by number, or title, or both.

SECTION 2. This ordinance shall be known as Ordinance No. 6.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern, Village Clerk.*

(SEAL)

ORDINANCE NO. 7.

Concerning Ordinances, Publication, When Take Effect.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* All Ordinances of this Village imposing any fine, penalty, imprisonment, or forfeiture, or making any appropriation, shall within one month after they are passed, be published at least once in a newspaper in the Village, or, if no newspaper is published therein, by posting copies of the same in three public places in the village; and no such ordinance shall take effect until ten days after it is so published, and all other ordinances, orders and resolutions shall take effect from and after their passage, unless otherwise provided therein.

SECTION 2. All Ordinances passed by the Village board shall, before they take effect, be deposited in the office of the Village Clerk; and if the President approves thereof, he shall sign the same, and such as he shall not approve he shall return to the board of trustees, with his objection thereto in writing, at the next meeting of the board of trustees occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case

the President shall fail to return any ordinance, with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

SECTION 3. Upon the return of any ordinance by the President, the vote by which the same was passed shall be reconsidered by the board of trustees; and if, after such reconsideration, two-thirds of all the members elected to the board of trustees shall agree, by yeas and nays, to pass the same it shall go into effect, notwithstanding the President may refuse to approve thereof. The vote to pass the same over the President's veto shall be taken by yeas and nays, and entered on the journal.

SECTION 4. The yeas and nays shall be taken upon the passage of all ordinances, and on all propositions to create any liability against the village or for the expenditure of, or appropriation of its money, or at the request of any member, which shall be entered on the journal of its proceedings; and the concurrence of a majority of all members elected to the board of trustees shall be necessary to the passage of any such ordinance or proposition. And every proposed ordinance shall be read at large at three stated meetings of the board of trustees before the vote is taken on its final passage: Provided, however: That upon motion supported by two thirds of the trustees elected, the requirements of this section may be dispensed with, and the ordinance read a second time and third time by its title, and at once put upon its final passage.

SECTION 5. All ordinances, and the date of publication thereof, may be proven by the certificate of the clerk, under the seal of the corporation. And when printed in book or pamphlet from, and purporting to be published by authority of the board of trustees, the same need not be otherwise published; and such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts and places without further proof.

SECTION 6. The President and board of trustees, shall within the first quarter of each fiscal year, pass an ordinance, to be termed the annual appropriation bill, in which such corporate authorities may appropriate such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of the corporation; and in such ordinance shall specify such objects and purposes for which such appropriations are made, and the amount appropriated for each object or purpose. No further appropriations shall be made at any time within such fiscal year, unless the proposition to make each appropriation has been first sanctioned by a majority of the legal voters of the village, either by a petition signed by them, or at a general or psecial election duly called therefor.

SECTION 7. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 8. This Ordinance shall be known as Ordinance No. 7.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 8.

An Ordinance Defining the Municipal and Fiscal Year.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner.* The Municipal year of said Village shall commence with the first day of May, and end with the thirtieth day of April in each calendar year.

SECTION 2. The Fiscal year of said village shall commence with the first day of April and end with the thirty-first day of March, in each calendar year.

SECTION 3. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 4. This Ordinance shall be known as Ordinance No. 8.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 9.

An Ordinance Relating to the Election of Police Magistrate.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That at the regular annual election for village officers on the third Tuesday in April 1915 and every four years thereafter, there shall be elected one Police Magistrate for said Village, who shall give bond and qualify as required by law, and who shall hold his office for the term of four years, or until his successor is elected and qualified, and shall have the same jurisdiction as other justices of the peace.

SECTION 2. In case of a vacancy of the office of Police Magistrate, the unexpired term may be filled by the President and Board of Trustees ordering a special election for that purpose.

SECTION 3. The Police Magistrate or any justice of peace, before whom actions are tried for the violation of any Village Ordinance, shall recover the same costs as are fixed by the statutes of Illinois for justices of the peace in similar cases, that the judgement for costs shall not in any case be rendered against the Village; but in cases where the defendant may be acquitted, or where the costs can not be collected from the defendant when convicted, the Magistrate or Justice shall present at some regular meeting of the Board of Trustees, a transcript from the docket showing the costs accrued in said case,

which bill the President and Board of Trustees may pay or refuse to pay, in their discretion.

SECTION 4. This Ordinance shall be in force from its passage, approval and publication.

SECTION 5. This Ordinance shall be known as Ordinance No. 9.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO 10.

An Ordinance Providing for a Police Department.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That there be and hereby is established a police department of the Village of Gardner, which shall consist of the Village Constable and such special policeman as may from time to time be appointed.

SECTION 2. The President and Board of Trustees shall have power to appoint, in addition to the Village Constable, one or more special policemen, whose duty it shall be to assist the said constable whenever called upon by him to do so; and they are hereby empowered and instructed to do any and all duties which by law or ordinance of this village is made incumbent upon said constable; the special policemen so appointed shall receive such pay for his services as the President and Board of Trustees shall, from time to time allow.

SECTION 3. The President shall be the head of the police department, and shall superintend and direct the police generally, he shall see that the several members of the department are prompt and faithful in the discharge of their duties, and from time to time take such measures as he may deem necessary for

the preservation of the peace and good order, and the enforcement of the laws and ordinances of the village.

SECTION 4. The members of the Board of Trustees and the members of the police department, shall co-operate with the President in preserving the peace and enforcing the ordinances of the village. They, as also the President and all members of the police department, shall have power to arrest, or cause to be arrested, with or without process, and bring or have brought before some competent judicial tribunal in said village, all persons who shall break or threaten to break the peace, they shall also, as the President and other police, arrest or cause to be arrested all persons found in the act of violating, or who may be reasonably suspected of having violated any ordinance of said village, for the preservation of the peace and good order thereof, and have power to detain or order the detention of all such persons in custody in some safe place in said village over night or over Sunday, and until such persons can be duly examined by some competent court or magistrate.

SECTION 5. If the Village constable or any special policeman shall become aware of any offence committed against any ordinances of this village, or shall see any person violating or attempting the violation thereof, or who shall see any intoxicated person or disturber of the peace and shall fail or neglect to arrest such person in pursuance to the ordinances of said village covering such offence, such constable or special policeman shall be deemed guilty of a misdemeanor. and on conviction thereof, be fined in a sum not exceeding one hundred dollars.

SECTION 6. This Ordinance shall be in force and effect after its passage, approval and publication.

SECTION 7. This Ordinance shall be known as Ordinance No. 10.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 11.

An Ordinance Providing for a Board of Local Improvements.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, that there shall be organized in said Village a Board of Local Improvements.

SECTION 2. Said Board shall consist of the President, who shall be chairman of said board, and Mr. D. R. Keepers and Mr. J. C. Hibner who shall hold the said offices during the current municipal year.

SECTION 3. All ordinances for local improvements to be paid for wholly or in part by special assessment or special taxation, shall originate in said board of local improvements, and petitions for any such public improvement shall be presented to said board. Said board shall have power to originate a scheme for any local improvement to be paid for by special assessment or special taxation, either with or without a petition, and in either case shall adopt a resolution describing the proposed improvement, which resolution shall be at once transcribed into the records of said board.

SECTION 4. With any such ordinance presented by said board to the board of trustees, shall be presented also a recommendation of such improvement by the said board, signed by at least a majority of the members thereof. The recommendation by said board shall be *prima facie* evidence that all the requirements of the law have been complied with.

SECTION 5. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 6. This Ordinance shall be known as Ordinance No. 11.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 12.

An Ordinance Concerning Taxes.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That the President and Board of Trustees shall, annually, on or before the third Tuesday in September, each year, ascertain the total amount of appropriations for all corporate purposes, legally made (by an Ordinance termed the annual appropriation bill) and the said President and Board of Trustees shall, by ordinance, levy the amount so ascertained, upon the real and personal property within the said village, subject to taxation, as the same is assessed for state and county purposes for the current year; taking into consideration, however, the probable revenue of said village, from other sources other than general taxation; *Provided*, that the aggregate amount of taxes levied for any one year, exclusive of the amount levied for the payment of bonded indebtedness or interest thereon, shall not exceed the rate of one and 2-10 per centum upon the aggregate valuation of all property within said village, subject to taxation therein, as the same was equalized for state and county taxes of the current year, said ordinance may be entitled as follows: *An Ordinance Imposing Village Tax for the Year 19* (stating in figures the current year).

SECTION 2. A certified copy of said ordinance, imposing village tax as aforesaid, shall annually be filed on or before the third Tuesday in September, with the County Clerk of Grundy County, Illinois, whose duty it shall be to ascertain the rate per cent, which, upon the total valuation of all property subject to taxation within said village as the same is assessed and equalized for state and county purposes, will produce a net amount not less than the amount so directed to be levied and assessed, and it shall be the duty of said County Clerk to extend such tax in a separate column upon the book or books of the collector or collectors of state or county taxes within said village.

SECTION 3. The taxes so assessed shall be collected and enforced in the same manner and by the same officers as state

and county taxes, and shall be paid over by the officer collecting the same to the Village Treasurer of said village.

SECTION 4. It shall be the duty of the officer collecting such tax to settle with and pay over to said Village Treasurer as often as once in two weeks, from the time he shall commence the collection thereof, all such taxes as he shall then have collected, till the whole taxes collected shall be paid over.

SECTION 5. Whenever said village is required to levy a tax for the payment of any particular debt, appropriation or liability, the tax for such purpose shall be included in the whole amount assessed by the President and Board of Trustees, and certified to the County Clerk as aforesaid; but the President and Board of Trustees shall determine in the ordinance making such assessment, what proportion of such total amount shall be applicable to the payment of such particular debt, appropriation or liability; and the Village Treasurer shall set apart such proportion of the tax collected and paid to him for the payment of such particular debt, appropriation or liability, and shall not disburse the same for any other purpose until such debt, appropriation or liability shall have been discharged.

SECTION 6. All taxes levied or assessed by said village, except special assessment for local improvements, shall be uniform upon all taxable property and persons within the limits of said village, and no property shall be exempt therefrom other than such property as may be exempt under the constitution and general laws of the State.

SECTION 7. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 8. This Ordinance shall be known as Ordinance No. 12.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 13.

An Ordinance Regulating the Health of Said Village.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That it is hereby declared to be the duty of every practising physician who shall have a patient within the territorial jurisdiction of said village, sick or affected, or supposed to be affected with a contagious, infectious or pestilential disease, to forthwith make a report thereof, in writing to the President and Village Constable, describing the locality of such patient, so that he or she may be readily found; and the President or Village Constable shall immediately cause a suitable notice, with the name of the disease printed in large letters thereon, to be posted up in the most conspicuous place, on or near the building or dwelling in which such contagious disease exists and require the occupants thereof to maintain and so keep up such notice until, in the opinion of a competent physician, such notice may be safely discontinued; and any physician failing to make report as aforesaid; and any person failing or refusing to maintain or keep up the notice aforesaid, shall be subject to a penalty of not less than five dollars nor more than fifty dollars.

SECTION 2. Any person having, or having had the small pox, or other like malignant or infectious disease, who shall go about in any public place, while in danger of giving such disease to others, shall be subject to a penalty of not less than twenty dollars nor more than one hundred dollars. Provided, that this shall not apply to cases where such person shall have first consulted some respectable physician, and obtained from him a written statement that such person is in no danger of giving the disease to others, any person attending, or being about any other person having the small pox, or other infectious disease, who shall not change, or purify his or her wearing apparel, before going into any public place, or shall otherwise so conduct himself or herself as to endanger the spreading of the disease, or giving it to others, shall be subject to a penalty of not less than

twenty-five dollars nor more than one hundred dollars for each offence.

SECTION 3. Whoever shall keep, sell or deliver any poison usually known as deadly poison, without legibly marking the name thereof, and the word "poison" upon the phial, wrapper or box or other enclosure containing the same: or whoever shall sell or deliver any arsenic, strychnine, prussic acid, or other poison usually known as deadly poison, to any person without registering the name of such person and the kind and quantity of poison so sold or delivered, and the purpose for which the same was obtained, shall be subject to a penalty of not less than five dollars nor more than twenty-five dollars, for each offence.

SECTION 4. The President of the Board of Trustees, shall annually, during the month of May, cause printed notices to be posted up, commanding all persons in said village, within fifteen days from the date of said notices, to thoroughly cleanse and purify their yards, barn lots, pig sty, cellars, privies, and the alleys and streets adjacent, of all trash, filth, manure, and other noisome substances likely to occasion disease, or to prove offensive to any person in said village, under penalty of failure so to do; of rigid prosecution under the ordinances of said village, and it is hereby declared the duty of the Village Constable and Street Commissioner, to inspect the yards, barn lots, pig styes, cellars and privies of every person in said village (using no force however for that purpose), as well as all the streets and alleys of said village, and shall make complaint and cause to be prosecuted every person who fails to comply with such notices, Provided, That the notices aforesaid shall not be construed as a condition precedent to fixing the liability of any person for the violation of any ordinance of said village, but simply as a warning to all persons of their duties and liabilities under said ordinance.

SECTION 5. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 6. This Ordinance shall be known as Ordinance No. 13.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 14.

An Ordinance Providing for the Establishment of a Pound and the Impounding of Animals. And Prohibiting Cruelty to Animals.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That any horse, mare, colt, ass, mule, steer, bull, cow, heifer, calf, hog, shoat, pig, sheep, goat or geese running at large in any of the streets, alleys or avenues of said village shall be, and the same is hereby defined to be a nuisance, and shall be impounded.

SECTION 2. That it shall be unlawful for any person or persons to herd, stake out or tie any of the animals mentioned in section one of this ordinance, in the village parks, or upon any street, alley or avenue, of said village, for the purpose of grazing, or to tie any such animal or animals so they can cross any street, alley, avenue or sidewalk or any part thereof, any person or persons violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not more than ten dollars for each offence.

SECTION 3. Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this section, shall be fined not less than \$3 nor more than \$200. Viz:

First—By overloading, overworking, overdriving, cruelly beating, torturing, tormenting, mutilating, or cruelly killing

any animal, or causing or knowingly allowing the same to be done.

Second—By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

Third—By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink and shelter.

Fourth—By abandoning any old, maimed, infirm, sick or disabled animal.

Fifth—By carrying or driving, or causing to be carried or driven or kept, any animal in an unnecessarily cruel manner.

SECTION 4. The President and Board of Trustees are hereby empowered to secure and prepare for use some certain pen or enclosure to be known as the Village Pound, to be used for the impounding of animals found violating any of the provisions of this ordinance.

SECTION 5. It shall be the duty of the Poundmaster to take up and impound any and all animals found violating the provisions of section one (1) and two (2) of this ordinance; and if no owner shall appear within three days after said impounding, prove property, pay charges, and take the same away it shall be the duty of said Poundmaster, after giving three days notice, if the animals impounded be hogs, shoats, pigs, goats, sheep or geese, and ten days notice if any other animal or animals, of the time and place of sale, and a description of the property to be sold, to proceed to sell the animals so impounded to the highest bidder for cash and the excess of the money received at such sale, over and above the expense of the impounding and shall be paid into the Village Treasury.

SECTION 6. All sales made by virtue of this ordinance shall be subject to redemption therefrom, by the lawful owners of any animals so sold, for the period of sixty days after any such sale, such redemption to be made by paying or legally tendering to the purchaser double the amount of the penalty,

fees and costs incurred with ten per cent. on the amount of the purchase price, together with all reasonable cost and expense occurring to said purchaser from the date of sale to the time of redemption, for the sustenance and keeping of such animal so sold; and after the expiration of said period of sixty days, the title of any such animal so sold, shall be deemed absolute. If any such redemption shall be made, the excess of money, if any, received by the poundkeeper over penalty, fees and costs shall on demand be refunded to the owner by said Poundmaster, or by the said village if the same shall have been paid into the treasury—satisfactory proof first being made that such redemption has been made legal and in good faith, in case no such redemption shall be made, and the title to any animal so sold shall become absolute in the purchaser, the President and Board of Trustees may, in their discretion, pay to the person lawfully entitled thereto, the excess of the money received over the penalty, costs and expenses incurred as aforesaid, upon application to said President and Board of Trustees at any time within one year next after said sale, and upon satisfactory proof being made that such person was at, and prior to such sale the legal owner of such animal so sold, the said applicant also first executing to said village his bond, with personal security, to be approved by the President and Board of Trustees, conditioned that he will refund said money so paid him by said village, when lawfully required by said President and Board of Trustees so to do, and will further save and keep harmless said village from all costs, damages and expenses that may be occasioned to said village or any of its officers, by reason of such payment to him.

SECTION 7. Any horse, mare, colt, ass, mule, cow, heifer, steer, bull, calf, hog, shoat, pig, sheep, goat, or goose, found trespassing at any time upon the enclosed lot or premises of any person in said village, or shall trespass upon any farmer's wagon or other vehicle while lawfully remaining in any of the streets, alleys, avenues or commons of said village, or shall eat, injure or destroy any contents of such wagon or vehicle, shall be impounded and subject to other provisions of this ordinance.

SECTION 8. It shall be the duty of the Poundmaster, Village Constable or any special policeman of said village, to drive to the pound and place therein any of the animals mentioned in section 7 of this ordinance, found violating sections 1, 2 and 7 of this ordinance.

SECTION 9. The following fees shall be allowed for services rendered under the provisions of this ordinance, to the Poundmaster, Village Constable or Special Policeman, for impounding each animal found violating sections 1, 2 and 7 of this ordinance the sum of fifty cents for each animal impounded, to the Poundmaster for each and every day's detention of each animal impounded twenty-five cents, and the sum of ten cents for receiving each animal impounded by the village constable or special policeman; to the Poundmaster for advertising and selling any animal as aforesaid, such fees as are allowed by the Statutes of Illinois to Constables for advertising and selling property under execution.

SECTION 10. The Village of Gardner shall not in any case be liable to the Poundmaster for or on account of any fees or expenses due him on account of any animals which may be impounded, or whenever any such animal shall be sold and not bring enough to pay the penalty, fees and costs, the same or part remaining unsatisfied, may be recovered of the owner of any such animal by suit before any magistrate of said village, to recover the same and, in the name of the person acting as Poundmaster to recover said penalty, fees and costs, and the sum exacted shall be received by said Poundmaster and by him retained for his own use.

SECTION 11. If any person shall break open or in any manner directly or indirectly aid or assist in breaking open the common pound, or in rescuing any animal impounded therein, such person or persons shall severally be subject to a fine of not less than five dollars or more than fifty dollars for each offense.

SECTION 12. Every person who shall wilfully hinder or delay or obstruct any person or persons engaged in driving to the pound any animal or animals liable to be impounded in said

pound, shall for every such hindrance, delay or obstruction, be fined not less than one dollar nor more than twenty dollars.

SECTION 13. Any Poundmaster regularly appointed and qualified, who shall refuse or wilfully neglect to receive into the common pound any animal or animals as aforesaid, known by him or proved to him to be violating any of the provisions of this ordinance or who shall neglect to care for any animal impounded, shall, for every such refusal or neglect of duty be fined not to exceed twenty dollars.

SECTION 14. This Ordinance shall be in force from its passage, approval and publication according to law.

SECTION 15. This Ordinance shall be known as Ordinance No. 14.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 15.

An Ordinance Regarding Automobiles and Motor Cycles.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That for the purpose of this ordinance the term "Automobile" wherever and whenever used in this ordinance shall be held to mean and embrace, and is hereby defined to mean any vehicle driven or propelled along or upon the streets, alleys or other public places of the Village of Gardner, the motive power of which is gasoline, kerosine, electricity, or any motive power other than animal power, human or otherwise; PROVIDED HOWEVER, that nothing herein shall apply to the operation of any road roller, traction engine or locomotive, grip car or trolley car, or other vehicle used by any steam or street railway company, upon or along any tracks owned or lawfully used by any such railway company.

SECTION 2. That hereafter no automobile or any other similar vehicle shall be propelled, driven or ridden upon or along any street, alley or public way in said village of Gardner, at a speed exceeding Six (6) miles per hour in turning any corner, nor exceeding Ten (10) miles per hour when proceeding in a direct course along any business street or closely built resident street, and such vehicle while in motion, shall be governed by the commonly accepted rule of road traffic by keeping on the right side of the street, and continue this rule when driving to the side of the street for stopping, thus stopping with the right side of the machine to the sidewalk and the left side of the machine towards the center of the street.

SECTION 3. Each and every automobile in use, upon any street, alley or public way in the village of Gardner, shall be equipped with an alarm bell, gong, horn or whistle, and the same shall be sounded while turning a corner of a street, alley or intersection of streets and whenever necessary for giving notice of the approach of such vehicle.

SECTION 4. All automobiles shall carry a lighted lamp or lamps or lighted lantern or lanterns at all times from sunset to day break, attached thereto, casting a white light in the direction in which such vehicle is going, of sufficient illuminating power to be visible at a distance of two hundred (200) feet, and also a lamp or lamps casting a red light at the rear of the machine plainly visible at the rear of the machine at all times between sunset and day break, whether standing or moving.

SECTION 5. No part of the machinery of any automobile shall be left running while such machine is left standing in any street, alley or public way in the Village of Gardner, without an attendant in charge thereof.

SECTION 6. The driver or operator of any automobile shall stop such machine when he shall be signalled to do so by the driver of an approaching horse or horses or upon indication of such horse or horses becoming frightened, and shall not start such machine again until the vehicle drawn by the horse or horses shall have passed.

SECTION 7. In no case shall two or more automobiles or other similar vehicles, be propelled, driven or ridden abreast in any street, alley or public way in the Village of Gardner, nor shall any automobile be left standing at or near the center of any street, unattended by the operator.

SECTION 8. Each and every automobile or other similar vehicle, shall be equipped with a brake or brakes which shall be of sufficient power when running at a speed of ten miles per hour to bring the machine to a full stop within ten (10) feet of the place where such vehicle was when the brake or brakes was or were applied.

SECTION 9. Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction thereof, be fined not less than ten (\$10) dollars nor more than fifty (\$50) for each offence.

SECTION 10. This Ordinance shall be in force and effect after its passage, approval and publication.

SECTION 11. This Ordinance shall be known as Ordinance No. 15.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 16.

An Ordinance Providing for Public Safety at Railroad Crossings.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That it shall be the duty of the Chicago and Alton Railroad Company, and said company is hereby required to erect and maintain at its own expense, a gate or gates, where the tracks of said company cross Division

Street north-east of said company's depot, and at Jefferson and Jackson streets where the tracks of said company cross said streets south-west of said depot, and to maintain a tower at a suitable and convenient place between the two crossings, with some suitable devise for operation of said gates, and to keep a watchman at said tower at all times each day from 7 o'clock a. m. to 6 o'clock p. m.

SECTION 2. It shall be the duty of said watchman to be on the lookout at all times while on duty, for approaching trains or cars, and to lower the said gates in ample time to prevent any person, either on foot or driving a conveyance, from passing on to said tracks at said crossings at the time any engine, train or car is approaching, and to keep said gate or gates down until all danger is past.

SECTION 3. For every violation of the provision of the foregoing sections or either of them, the corporation or person violating the same, shall be fined in any sum not less than fifty dollars nor more than two hundred dollars, for each and every offence, to be recovered in any court of competent jurisdiction.

SECTION 4. This Ordinance shall be in force and effect after its passage, approval and publication.

SECTION 5. This Ordinance shall be known as Ordinance No. 16.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern, Village Clerk.*

(SEAL)

ORDINANCE NO. 17.

An Ordinance Regarding Railroads and Speed of Trains.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner, That it shall be unlawful*

for any Railroad Company or corporation to run, propel or drive any locomotive engine or engines, car or cars, through the inhabited portion of said Village of Gardner at a higher rate of speed than fifteen (15) miles per hour in case of passenger trains, or more than ten (10) miles an hour in case of freight trains, and any railroad company or corporation, which shall by itself, its agents, conductors, engineers or servants, violate this section of this ordinance, shall upon conviction thereof be fined in any sum not less than twenty-five (\$25.00), nor more than two hundred (\$200.00) dollars, for each and every offence.

SECTION 2. That no railroad corporation or company shall obstruct or cause to be obstructed, any alley or other highway of said village, by suffering or permitting any of its locomotives, trains or cars to remain in, upon or across any street, alley or other highway for a longer period than five minutes at any one time, and any such railroad corporation or company which shall violate the provisions of this section, shall forfeit and pay to said village the sum of twenty-five dollars for each and every offence.

SECTION 3. All railroad corporations and companies, owning or operating any railroad through said Village of Gardner, are hereby required to construct and keep in repair suitable crossings, sidewalks, ditches, sewers and culverts at all intersections of streets and alleys of said village with said railroad, and to keep in repair the streets through which their tracks may run, and any such corporation or company which shall fail or refuse to so construct and keep in repair any such street, crossing, sidewalk, ditch, sewer or culvert for twenty days after notice served upon the station agent of such corporation or company, at said village, by any officer of said village, specifying the street, crossing, sidewalk, ditch, culvert, sewer or alley to be repaired, shall forfeit and pay to said village the sum of twenty-five dollars for each and every day that they shall so refuse or neglect such construction or repair after the expiration of said twenty days.

SECTION 4. All penalties and forfeitures imposed, pre-

scribed or provided for in this ordinance may be recovered in action of debt before any Magistrate of said village, service of process may be had upon any such corporation or company in the manner provided by the statutes of the State of Illinois.

SECTION 5. This Ordinance shall be in force from its passage, approval and publication.

SECTION 6. This Ordinance shall be known as Ordinance No. 17.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 18.

An Ordinance Relating to Explosives.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That it shall be unlawful for any person, persons, company or corporation to store or keep in their store or upon their premises any gunpowder, blasting powder, or other explosives in quantities of more than twenty-five pounds at any one time, within the limits of the Village of Gardner.

SECTION 2. Any person or persons, company or corporation violating the provisions of this ordinance shall be fined in a sum of not less than ten dollars nor more than two hundred dollars.

SECTION 3. It shall be unlawful for any person, persons, company or corporation to measure or weigh any kind of explosives whatever, by lamplight, gaslight, or any kind of light, other than daylight, within the corporate limits of the village of Gardner, and for any infraction or violation of this section, shall be fined in a sum of not less than five dollars, nor more than two hundred dollars.

SECTION 4. The storage within the corporate limits of said village, of gunpowder, tar, pitch, coal oil, benzine, turpentine, hemp, cotton, hay, straw, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material in any car, or upon any premises, by any person, in such quantity or bulk, as to endanger seriously the life or property of any person, shall subject the offender (after reasonable notice by some official of said village to abate the same) to a penalty of not less than ten dollars nor more than one hundred dollars.

SECTION 5. This Ordinance shall be in effect from its passage, approval and publication.

SECTION 6. This Ordinance shall be known as Ordinance No. 18.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO 19.

An Ordinance Concerning Dram Shops, and Licensing Same.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That it shall be unlawful within the territorial jurisdiction of said Village of Gardner, for any person or corporation, as principal, clerk, servant or agent, or by any other person or corporation, directly or indirectly, to sell or give away, for profit or gain, any intoxicating, malt, vinous, mixed or fermented liquors, of any name, nature or admixture, in any quantity whatever, without first having obtained a license so to do, as hereinafterwards provided, under the penalty for so doing, for each offence, of not less than twenty dollars, or more than one hundred dollars; PROVIDED, however, that this section shall not apply to sales in a greater quantity than one gallon made by manufacturers or wholesale-

dealers to any person or persons holding a license, as hereinafter provided.

SECTION 2. The President and Board of Trustees may, subject to the revenue laws of this state, and the ordinances of this village, authorize by resolution, any person or persons, not constituting a corporation, to sell or give away, within the corporate limits of said village, in less quantities than one gallon, all, or any of the liquors mentioned in section 1 of this ordinance, and direct that a license signed by the President of the Board of Trustees, and attested by the Village Clerk, under the seal of the said village, be issued by said clerk, to such person or persons, upon him, her or them, paying to the Village Clerk, to be by him paid into the village treasury, in advance the sum of Eight Hundred dollars per annum, or at that rate for any fractional part of a year.

SECTION 3. Any person desiring a license to keep a dram shop, within the corporate limits of the village of Gardner, shall file with the village clerk an application in writing, setting forth the location of the building or room to be occupied, the length of time same is wanted, and the name and residence of the sureties offered on his or her bond, or in lieu thereof shall file with the application a bond duly executed, to the village of Gardner, in the penal sum of five hundred (\$500.) dollars, signed by at least two good and sufficient sureties who are freeholders, which bond shall be approved by the President and Board of Trustees before the license is granted, conditioned that he will pay to said village all fines and costs recovered against him under the provisions of this ordinance, and all other ordinances and parts of ordinances relating to the sale of intoxicating liquors now in force, or which may hereafter be in force, on account of any act by him done in violation of any such ordinance, during the time for which such license is granted.

SECTION 4. Said applicant shall also file with said application a further bond in the penal sum of Three Thousand (\$3000.) dollars, payable to the people of the state of Illinois, for the use of any person injured, which bond shall be signed by the applicant, with at least two good and sufficient sureties

who shall be freeholders of Grundy County, approved as aforecaid by the President and Board of Trustees, conditioned that such applicant will pay to all persons all damages they may sustain either in person or property or means of support, by reason of such applicant selling or giving away intoxicating liquors, and the President and board of trustees shall grant or reject such application, and direct, by resolution or motion, in case of approval, the issuance of such license in the manner aforesaid, for any term not extending beyond the current municipal year; and unless otherwise provided in such resolution, he shall pay to the village clerk the sum charged for such license for the current municipal year, he shall also pay to the village clerk all fees allowed said clerk for taking such bond and issuing such license.

SECTION 5. Such license shall state the kind of license, the time for which it is granted, the name of the person or persons to whom it is granted, the house or place intended to be occupied, that such license shall be used and the privileges granted thereunder shall be exercised at such place only, that such license shall not be transferable or assignable, and be conditioned that any violation of this ordinance, or any that may hereafter be in force touching the premises, shall work a forfeiture of such license and of all sums of money that may have been paid thereon, at the election of the President and Board of Trustees, and such license may be substantially in the following form:

By authority of the Village of Gardner, State of Illinois, permission is hereby given toto keep a dram shop atin the Village of Gardner, County of Grundy and State of Illinois, and to sell, barter, give away, wines and other liquors whether malt, vinous or spirituous, in quantities less than one gallon in the place herein designated, but not elsewhere, from the date hereof until the day of19
bonds having been filed according to the requirements of the laws of Illinois, and the ordinances of said village in such cases enacted and ordained, this license is granted on the express condition that the licensed shall observe and obey all such ordin-

ances of said village, as now are or hereafter may be in force, and all laws of said State heretofore or hereafter enacted in regard to the sale of such liquors, or regulating or governing places where the same are sold.

This licence is not transferable, and is subject to summary revocation in case the licensed shall violate any provision of law or keep a disorderly or ill governed house, or allow any drunkenness or gambling on the premises or in any place adjacent thereto.

Given under the hand of the President of said Village and the corporate seal thereof, this day of A. D. 19
(L. S.)

Attest Village Clerk. President.

SECTION 6. The President and Board of Trustees may authorize, by resolution, any person or persons, not constituting a corporation to sell or give away, within the corporate limits of said village in a quantity of one gallon or exceeding one gallon, all or any of the liquors mentioned in Section One (1) of this ordinance, and direct that a license signed by the President of the Board of Trustees, and attested by the Village Clerk, under the seal of said village, be issued to such person or persons, upon paying in installments or otherwise, the sum of dollars, and, unless otherwise provided in such resolution, the sum of money charged for such license shall be paid to the Village Clerk annually in advance, and such license shall not be transferable and shall be substantially in form as follows:

By the authority of the Village of Gardner, State of Illinois, permission is hereby given to to sell, vend or dispose of spirituous, malt, mixed and fermented liquors, in a quantity of one gallon or exceeding one gallon, from the date hereof until the day of 19 , in said Village of Gardner, subject however, to the laws of the State of Illinois, and the ordinances of said village, which now are or hereafter may be in force touching the premises.

Given under the hand of the President of said village, and

corporate seal thereof, thisday ofA. D. 19....

(L. S.) President.

Attest Village Clerk.

PROVIDED, however, that no license shall be issued under the provisions of this section, except upon the application of the person or persons desiring such license, and filing and approval of a bond, in the manner and form as provided for in sections 3 and 4 of this ordinance.

SECTION 7. It shall be unlawful for any person, under license aforesaid, by himself, herself, agent or servant, to sell or give away any of the liquors mentioned in section 1 of this ordinance in any quantity whatever :

To any minor without written order of his parents, guardian or family physician ;

To any person who is intoxicated, or who is in the habit of getting intoxicated ;

On Sunday, or any general or special election day, or between the hours of 10 o'clock p. m. and 5 o'clock a. m. of any day, except on Saturday during the months of April, May, June, July, August and September of each year, when the hours of closing shall be 11 o'clock p. m. ;

Or suffer any person at any such time to pass in and out, or frequent or loiter about the same, or to allow any minor without the written permission of such minor's parents or guardian, to remain at, or loiter about his or her dramshop or saloon, under a penalty for so doing, for each offence herein stated of not less than ten dollars, or more than one hundred dollars, and forfeiture, at the election of said President and Board of Trustees, of his or her license.

SECTION 8. The giving away of intoxicating liquors, or the disposing of the same, in any manner, through any "club" combination, association, or corporation of two or more persons, or other shifts, tricks, devices or subterfuges for the evasion of any provisions of this ordinance, shall be held to be unlawful selling and giving away of the liquors mentioned in section 1 of

this ordinance shall be subject to the same penalty as in said section 1, provided.

SECTION 9. The Village Constable, Policeman, and other officers of said village, shall have the right to enter any place where liquor is sold or given away, under any license aforesaid, whenever such place is open, if such officers deem necessary in the discharge of their duties; and if any person licensed as aforesaid shall refuse to permit any such officer to enter his or her premises, where such liquors are sold or given away as aforesaid, whenever the same is open, he or she shall be subject to a penalty of not less than ten dollars nor more than one hundred dollars.

SECTION 10. All rooms, taverns, eating houses, restaurants, drugstores, groceries, coffee houses or other places of public resort, where intoxicating liquors of any kind or nature are sold in violation of this ordinance shall be deemed public nuisances, and whoever shall keep such place by himself, herself or servant, shall, for each offence, be fined not less than twenty dollars nor more than one hundred dollars, and it shall be a part of the judgement, upon conviction of the keeper, that the place so kept, shall be shut up and abated until the keeper thereof shall give bond, with sufficient security, to be approved by the court before whom such conviction is had, in the penal sum of one thousand dollars, payable to the people of the State of Illinois, conditioned that he or she will not sell intoxicating liquors, contrary to the ordinances of said Village of Gardner, and will pay all fines and costs assessed against him or her for any violation of said ordinances of said Village; and any person or persons who shall open any such building or place that has been ordered shut up or abated, under the provisions of this ordinance, shall be fined for each offence one hundred dollars.

SECTION 11. The President and Board of Trustees may, in their discretion, at any regular meeting, alter or change the whole or any section of this ordinance, either by motion or resolution, or by a majority vote of the Board of Trustees, on

yeas and nays being called for and recorded by the clerk in the journal kept for that purpose, PROVIDED, said motion or resolution shall not vacate the principal involved in Section 5 of this ordinance, PROVIDED, The President and Board of Trustees deem such change, alteration or suspension of any section of this ordinance, for any time stated, to the best interest of the Village of Gardner, such change, alteration or suspension shall not affect any rights existing at the time of such change, alteration or suspension.

SECTION 12. That all licenses which may be issued under any ordinance of this village shall be subject to the ordinances and regulations which may be in force at the time of issuing thereof, or which may subsequently be made by the President and Board of Trustees, and if any person so licensed, shall violate any of the provisions thereof, he or she shall be liable to be proceeded against for any fine or penalty imposed thereby, and his or her license may be revoked in the discretion of the President and Board of Trustees.

SECTION 13. No license granted under any ordinance shall be assignable or transferable, without the permission of the President and Board of Trustees, nor shall any such license authorize any person to do business or act under it but the person or persons therein named, unless such license shall otherwise provide.

SECTION 14. No license shall be granted, at any one time, for a longer period than the end of the municipal year in which it is granted, all licenses shall be signed by the clerk, and have the corporate seal of the village affixed, the clerk shall be entitled to a fee of one dollar for each and every license granted under the ordinances of this village, to be paid by the party applying for such license.

SECTION 15. This Ordinance shall be known as Ordinance No. 19.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 20.

*An Ordinance Providing for Granting Permits to Druggists
to Sell Liquors.*

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That a permit may be granted to any person or persons, being the keepers of a retail drug store within the limits of said village, to sell spirituous, vinous or fermented liquors, upon any such person or persons making application, in writing, to the President and Board of Trustees, at any regular meeting thereof, which application shall contain the name or names of the person or persons applying for the permit, the place of doing business, the time for which the permit is wanted, which in no case shall extend beyond the current municipal year, a statement of the purpose for which such applicant or applicants desire permission to sell such liquors, and a promise on the part of the applicant or applicants that he or they will not by himself or themselves, or by any other person or persons, sell any such liquors, to any person or persons, in any manner, for any other purpose whatever, and that he or they will conform to any ordinance, rule or regulation which the President and Board of Trustees may pass, regulating the sale of intoxicating liquors by druggists, The President and Board of Trustees may grant or refuse the permit applied for, and, if granted, the person or persons to whom granted shall pay to the Village Clerk such sum as may be required for such permits (which sum shall be fixed annual-

ly by resolution of the President and Board of Trustees, and shall be uniform during any municipal year) and thereupon the Village Clerk shall issue to the applicant or applicants a permit in writing, authorizing him or them to sell such liquors for medical, sacramental, chemical and mechanical purposes, but for no other purpose.

SECTION 2. Any permit so granted may be revoked by the President and Board of Trustees, whenever it shall appear to their satisfaction that the party to whom the same is granted, has violated his promise in the application therefor, or any provision of this ordinance.

SECTION 3. Any person or persons having a permit to sell liquors under this ordinance, who shall sell or give away any such liquors for other purpose than that specified in the permit, or who shall suffer any such liquor to be drank in or about the premises, except on the written prescription of a practising physician, shall be fined in a sum not exceeding twenty-five dollars for each offence.

SECTION 4. This Ordinance shall be known as Ordinance No. 20.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern, Village Clerk.*

(SEAL)

ORDINANCE NO. 21.

An Ordinance Regarding Drinking Spirituous Liquors in Adjacent Places.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* Any person not having a license to keep a dram shop, shall by himself or another, either as principal, clerk, or servant,, directly or indirectly, sell any intoxicating liquor in any less quantity than one gallon or

in any quantity to be drank upon the premises, or in or upon any adjacent room, building, yard, premises or place of public resort, shall be fined not less than twenty (\$20.) dollars nor more than one hundred (\$100.) dollars or imprisoned in the county jail not less than ten nor more than thirty days or both in the discretion of the court.

SECTION 2. It shall be unlawful for any person or persons, to congregate in any adjacent room, building, yard, premises, or any place of public resort, to drink, carouse or encourage any such demoralizing proceedings, as aforesaid, any such conduct shall be deemed a nuisance, and the Village Constable, shall, on view, arrest any or all engaged in the same, and shall forthwith have said party or parties, brought before the Police Magistrate, or some Justice of the Peace of said Village, and given a hearing, and upon conviction of said party or parties, may be fined the sum of not less than five dollars, nor more than ten dollars, or be imprisoned in the calabose not less than three or more than five days, or both at the discretion of the court for any violation of this Ordinance.

SECTION 3. This Ordinance shall be known as Ordinance No. 21.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 22.

An Ordinance Relating to Minors and Intoxicated Persons.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That any person being a minor, or in the habit of getting intoxicated, or who shall be intoxicated, who shall purchase or offer to purchase, or in any manner obtain for his or her personal use any intoxicating li-

quor in any licensed dram shop, or drug store, shall, upon conviction, be fined in a sum not exceeding twenty-five dollars (\$25) for the first offence, and in a sum not more than one hundred dollars (\$100) for every subsequent offence.

SECTION 2. Any person being a minor, who shall play with dice, dominoes, cards, balls or other articles used in gaming in any dram shop, room or place where intoxicating liquors are licensed to be sold, or frequent, remain at or loiter in or about any such dram shop, room or place aforesaid, shall, upon conviction, be subject to a fine of not more than one hundred dollars (\$100) for each offence.

SECTION 3. Any person being a minor, who shall obtain from the proprietor of any licensed dram shop, drug store, or from his or her agent or servant, any intoxicating liquor under the false pretense of being then of age, shall upon conviction be fined for each offence in a sum of not more than fifty dollars (\$50).

SECTION 4. This Ordinance shall be known as Ordinance No. 22.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 23.

An Ordinance Concerning Buying or Procuring for a Minor.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* Every person, whether the keeper of a dram shop or not, who shall buy or in any manner procure or aid in procuring any wine, rum, brandy, gin, whiskey, lager beer, hard cider, alcohol, or other vinous, malt, spirituous, fermented or mixed liquors, or any intoxicating liquor whatever, for any minor, without the written order of such

minor's parent, guardian or family physician, or shall so procure or aid in procuring any of said liquor for any person intoxicated, or who is in the habit of getting intoxicated, shall, for every such offence be fined not less than twenty dollars nor more than one hundred dollars, or confined in the county jail not less than ten nor more than thirty days, or both in the discretion of the court.

SECTION 2. This Ordinance shall be known as Ordinance No. 23.

Passed Puly 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 24.

*An Ordinance Concerning Playing Cards &c. in Saloons,
by Minors.*

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That all saloons or places where intoxicating liquors are sold, in which minors are permitted to play with cards, dice, balls, or other article or device used in gaming, are hereby declared to be disorderly houses. Every proprietor or keeper of such saloons or places where such gaming or playing shall take place, shall for the first offence be subject to a fine of not exceeding fifty dollars, and for any subsequent offence, to a fine not exceeding one hundred dollars, or to imprisonment not exceeding thirty days for the first offence, and sixty days for any subsequent offence.

SECTION 2. This Ordinance shall be known as Ordinance No. 24.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 25.

An Ordinance Concerning Liability for Support.

SECTION 1. *Be it Ordained by the President and Board of the Village of Gardner,* Every person who shall, by the sale of intoxicating liquors, with or without a license, cause the intoxication of any person, shall be liable for and compelled to pay a reasonable compensation to any person who may take charge of and provide for such intoxicated person, and two dollars per day in addition thereto for every day such intoxicated person shall be kept in consequence of such intoxication, which sums may be recovered in an action of debt before any court of competent jurisdiction.

SECTION 2. This Ordinance shall be known as Ordinance No. 25.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 26.

An Ordinance Regarding Peddling Beer, and other Liquors.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That no person or persons, firm or corporation shall be permitted to peddle or deliver any vinous, spirituous or malt liquor, either in barrels, half barrels, kegs or bottles, in any quantity, either by carrying the same upon the person or in any vehicle, except said person shall first pay into the treasury of said village a license fee therefor in the sum of \$100. per annum.

SECTION 2. Any person violating any provision of this Ordinance, shall upon conviction thereof, be fined in a sum not less than \$20.00 nor more than -100.00 for each offence.

SECTION 3. This Ordinance shall be in force from and after its passage, approval and publication.

SECTION 4. This Ordinance shall be known as Ordinance No. 26.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 27.

An Ordinance Concerning Suits and Prosecutions.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That all suits, actions or prosecutions for the recovery of a fine, forfeiture or penalty by the Village of Gardner, against any person or corporation for the violation of any Ordinance of said Village, where said fine, forfeiture or penalty does not exceed two hundred dollars, may be instituted by any officer of said Village, or other responsible person before any magistrate residing and having an office in said Village, PROVIDED, that the word magistrate, when used in the Ordinances of said Village and in all processes, complaints, judgments, executions, and other proceedings thereunder, shall be taken to mean either Police Magistrate or Justice of the Peace, or both, according to the facts.

SECTION 2. All such actions aforesaid shall be commenced against any corporation and may be commenced against any person, by the issuance of a summons by any such magistrate in the ordinary form, as near as may be of the summons now issued by justices of the peace in civil actions, except that such summons shall state the number and section of the Ordinance alleged to have been violated, and the particular breach thereof, substantially in the language of the ordinance, and may be,

as near as the nature of the case will admit, in the following form :

STATE OF ILLINOIS, }
Grundy County } ss.
VILLAGE OF GARDNER, }

The People of the State of Illinois, to the Village Constable of Gardner, or any Constable of said County, greeting :

You are hereby commanded to summons A. B. to appear before me at my office in said Village of Gardner, on the day of, 19....., ato'clock....M., to answer a certain demand, not exceeding two hundred dollars, of said Village, against him (her or them), of the nature of a penalty, for the violation of section, of ordinance No., of said Village, by (State offence), and hereof make due return as the law directs.

Given under my hand thisday of19....
[Name of Official and Title of Office.]

The Magistrate issuing such summons, as well as the warrant provided for in Section 4 hereof, shall indorse on the back thereof, as the maximum demand of said Village, against the party sued, the amount of the highest penalty imposed for the violation of the ordinance therein referred to, and all subsequent proceedings shall be the same as if said warrant had been issued in the first place.

SECTION 3. That all actions aforesaid, not so commenced by summons as aforesaid, when the offender is still at large or under arrest without warrant, shall be commenced by filing with any such Magistrate a complaint duly signed and sworn to by some officer of said Village, or other responsible person, unless said complaint be expressly waived by the person charged. Said complaint shall specify the number of the Ordinance, the section or sections violated, and the nature of the offence, as near as may be in the language of the ordinance; and also, that the complainant has reasonable grounds to believe that the party charged is guilty of having violated the same.

Said complaint may be substantially in the following form:

STATE OF ILLINOIS, }
Grundy County } ss.
VILLAGE OF GARDNER, }

I,, complainant, do solemnly swear that I, have reasonable grounds to believe that a certain person known to me, by the name of (name of person charged) is guilty of having violated, within the territorial jurisdiction of said village, the provisions of section of ordinance No., of said village, by (state particular breach) between noon the day of 19.... and noon, the day of 19.... Therefore I, pray that a warrant be issued for the arrest of said person.

.....Complainant.

STATE OF ILLINOIS, }
Grundy County } ss.
VILLAGE OF GARDNER, }

I,, a of said village, do hereby certify that the above complaint was duly subscribed and sworn to before me by the complainant, therein named, at the village aforesaid, this day of 19....

[Name of the Official and Title of Office.]

SECTION 4. Upon said complaint being filed as aforesaid, it shall be the duty of the Magistrate with whom the same is filed, unless the party charged is already under arrest, to issue a warrant for the arrest forthwith of the person charged in said complaint, which warrant shall briefly state the allegations of said complaint, and may be substantially in the following form:

STATE OF ILLINOIS, }
Grundy County } ss.
VILLAGE OF GARDNER, }

The People of the State of Illinois, to the Village Constable of Gardner, or any Constable of said County, greeting:

WHEREAS, There has been filed with me, the undersigned Magistrate, a complaint signed and sworn to by A. B. wherein he alleges that he has reasonable grounds to believe that C. D. is guilty of having violated Section of ordinance No. of said village by (state particular breach).

Now, this is to command you to arrest and bring the body of C. D. forthwith before me, unless special bail be entered on the back of this warrant, signed by one or more responsible sureties, for the full amount of the demand of said village endorsed hereon; and if such bail be entered, you will command him, the said C. D., to appear before me, at my office in said village on theday of 19...., at o'clock m., to answer a certain demand of said village against him, of the nature of a penalty not exceeding two hundred dollars for the violation of the ordinance aforesaid, and hereof make due return, as the law directs.

Given under my hand and seal, this day of 19.....

[Name of Official and Title of Office.] (L. S.)

SECTION 5. Any person arrested by virtue of any such warrant, except for cause stated in Section 8, hereof, shall have the right to release his body by giving special bail to the officer executing the same, which shall be endorsed on the back of the warrant, in the following form, as nearly as the case will admit, to-wit:

I acknowledge myself special bail for the within named

Witness my hand, this day of 19....

.....

Which endorsement shall be signed by one or more sureties, to be approved by the officer making the arrest, and all the liabilities and rights shall attach to said bail or sureties, and like proceeding shall substantially be taken to enforce the liability of such bail to pay the judgement and costs obtained against the person so bailed, in the event of his failure to appear before the Magistrate on the day set for trial in said war-

rant, as are provided for in the case of special bail in the Revised Statutes of Illinois.

SECTION 6. Any person, with or without warrant, arrested and brought before any such magistrate, for the violation of any ordinance of said village, shall have the right, except for cause stated in Section 8 hereof, to postpone trial, on cause for continuance shown according to the laws of the State of Illinois, and may release his or her body from arrest for a period not exceeding ten days, by entering into an obligation, with one or more responsible sureties, to be approved by such Magistrate, which obligation may be substantially in the following form :

STATE OF ILLINOIS,
Grundy County
VILLAGE OF GARDNER,

}

ss.

This is to witness, that if the undersigned, A. B., shall fail to appear before, remain with and abide the orders of C. D., a at the office of said Magistrate in said village, on the day of 19...., at o'clock ..m., or at any other reasonable time then appointed by said Magistrate with or without the consent of said A. B., not exceeding three days thereafter, and shall then and there fail to answer the violation of an ordinance of said village, on a complaint sworn to by some responsible person, and before the time first above named filed with such magistrate, then and in that case, we, the undersigned, acknowledge ourselves jointly and severally indebted to said village, in the sum not exceeding two hundred dollars, adjudged to be due said village, on said complaint, for the payment of which we bind ourselves, our heirs, executors and administrators, under our hands and seals, this day of 19...., at said village.

A. B. (L. S.)
E. F. (L. S.)
G. H. (L. S.)

And the legal effect of said obligation shall be, that if the

party bailed shall not appear before such Magistrate, at the time therein stated, and judgement shall be entered against such party and in favor of said village, then, without mittimus issuing on said judgement, although the same may be issued at any time according to law, the liability of such party bailed, his or her co-obligators, or sureties, to pay on such obligation, the amount of said judgement and costs, to said village, shall attach to such obligation and suit may immediately be instituted thereon.

SECTION 7. Any person arrested for any offence under any ordinance of said village, may be detained in custody in the village prison, or other safe place during Sunday, a national holiday, and over night, and for a reasonable time on all other occasions, until such offender can be brought for trial before some Magistrate; PROVIDED, That any such offender so arrested without warrant, except for cause stated in Section 8, hereof, may, during any time so detained, release his or her body from custody by entering into with said Village a like obligation provided for in Section 6, hereof, to appear within three days thereafter before some Magistrate of said Village, at a day and hour to be fixed and with surety to be approved by the officer making such arrest.

SECTION 8. No person so arrested for the violation of any ordinance of said Village shall be released at any time from the custody of said Village or other lawful authority so long as the conduct, language and personal appearance of such offender are calculated to lead a prudent and reasonable person to suspect that such offender is an idiot or lunatic, or so far under the sway of passion, or influence of intoxicating liquors that the public peace and security of any person would be jeopardized by the release of such offender. Any officer violating the provisions of this Section shall upon conviction be fined with a sum not exceeding twenty-five dollars.

SECTION 9. Any officer aforesaid is authorized and directed to proceed without unnecessary delay, with the examination or trial of any offender of any ordinance of said Village,

whether brought before such Magistrate by summons or otherwise, and immediately upon conviction of such offender, enter judgment in favor of said Village of Gardner, for the amount of the fine or penalty and costs of prosecution, and order that such offender, in default of immediate payment of such judgment and costs, shall be committed to the Village prison or other safe place of custody until such fine and costs are paid, or offender is otherwise discharged under the ordinances of said Village.

Such judgment may be substantially in the following form:
VILLAGE OF GARDNER, Plaintiff,

vs.

.....A. B.Defendant.

Suit on Section.. of
Ordinance No....

[After reciting the proceedings, concludes as follows:]

After evidence heard (and upon a verdict found by a jury) in the above entitled cause it is adjudged by the court that the above defendant pay to the Village of Gardner dollars penalty and dollars costs of suit, and in default of immediate payment that said defendant be committed to the Village prison or other safe place of custody until the penalty and costs aforesaid are paid, or said defendant otherwise discharged, according to the ordinances of said Village; PROVIDED, that where such offender is a corporation, an ordinary judgment shall be rendered, and execution issued and subsequent proceedings of levy and sale be had as are provided for in the statutes of this State in civil cases before Justices of the Peace.

SECTION 10. The Magistrate or court rendering any such judgment, substantially of the form aforesaid, shall demand of the defendant the immediate payment of the same, in lawful money, and in default of such payment, shall immediately issue an order for the arrest and commitment in the village prison of said village of said defendant, pursuant to the terms of such judgment, which order or mittimus shall be substantially of the following form:

STATE OF ILLINOIS, }
Grundy County } ss.
VILLAGE OF GARDNER, }

*The People of the State of Illinois, to the Village Constable, and
Warden of the Village Prison of Gardner, or any Con-
stable of said County, greeting:*

WHEREAS, on day of 19...,
said Village of Gardner recovered before me a judgment for
the sum of dollars penalty, and dollars
and cents cost against one C. D. for the violation of
section of ordinance No., of said village
by (here state offence). Now, this is to command you in the
name and authority of said people to demand of C. D. the im-
mediate payment, in lawful money, of said judgment and costs,
and upon his failure or refusal to pay the same on such de-
mand, that you arrest and take the body of said C. D. and him
deliver, with this writ, to the warden of the village prison afore-
said, and we command you, the said warden, to receive the
body of him, the said C. D., and him safely keep in the city
prison, or other safe place of custody, provided by the author-
ity of said village, twenty-four hours for each fifty cents of
such judgement and costs, and a proportionate period of time
thereafter for any part of such judgment and costs less than
fifty cents, subject to the provisions of Section 12, hereof, un-
less said judgment and costs be sooner satisfied or the said C.
D. be otherwise lawfully discharged; and upon such discharge,
you, the said warden, are hereby directed to make due return to
me of this writ, with your endorsement thereon, showing peri-
od of imprisonment and manner of discharge.

Given under my hand, this day of 19...

[Name of Official and Title of Office]

Upon the back of such mittimus, the Magistrate shall en-
dorse the names and residence of the principal witnesses against
the defendant, and the several officers into whose hand the
same may come, shall endorse the date and manner of executing
the same, and it shall be the duty of any such officer having pos-

session of such mittimus, to furnish on demand a copy thereof, with the endorsements, PROVIDED, The President of Board of Trustees may, if in his opinion the recovery of any judgment rendered against any defendant will not be jeopardized, or the welfare of said village will thereby be subserved, order the Magistrate who has charge of the docket upon which is entered such judgment, to stay the issuance of any such mittimus on such terms and for such a length of time as may be deemed reasonable and just; and the Village Constable is hereby authorized to delay the execution of any such mittimus for a period not exceeding thirty days from the date thereof by assuming the payment of such judgment and costs in case of the escape during such interim, of such defendant; and any pledge of personal property voluntarily surrendered by the defendant to said constable in consideration of such an undertaking by said constable, may be sold in like manner and upon the same terms as the Statutes of Illinois provide for sales of like property under executions, and the proceeds thereof shall be by said constable applied to the payment of such judgment and costs and expenses of sale, and any surplus remaining shall be subject to the order of said defendant.

SECTION 11. Such mittimus against the body of the defendant as aforesaid, shall be sufficient to authorize the Village Constable, or other officer into whose hands the same may come, to demand of the defendant the immediate payment of enough lawful money to satisfy such judgment and costs, and upon failure or refusal of such defendant so to pay on demand as aforesaid, such judgment and costs, such mittimus shall be sufficient to authorize such officer to arrest such defendant and commit him or her for a period not exceeding six months in the city prison, or other safe place provided for the custody of offenders against the ordinances of said village; and such mittimus shall be sufficient to authorize the Warden in charge of such village prison, or other safe place of custody, to receive the body of such defendant, and him or her safely keep in custody as aforesaid, twenty-four hours for each fifty cents of such judgment and costs, and a proportionate period of time

thereafter for any part of such judgement and costs less than fifty cents, subject, however, to the provisions of Section 12, hereof, or until such judgment and costs are fully paid, or defendant otherwise lawfully discharged.

SECTION 12. Every person so committed to prison on mittimus against his or her body as aforesaid, shall, under the direction of the Village Constable, work for said village upon the streets, if his or her strength will permit, or at such other labor as said village shall provide, not exceeding ten hours each working day, and at the rate of fifty cents for each day's work, exclusive of board, until such judgment and costs aforesaid are paid, and when so paid, shall be discharged from imprisonment; PROVIDED, No credit shall be allowed by reason of any such imprisonment on any such judgment and costs, where the person so committed refuses to labor for said village, or refuses to obey orders respecting such labor, or acts when so laboring in a disorderly manner, or escapes, or attempts to escape, at any time from such custody or imprisonment aforesaid. But such person may be kept in custody as aforesaid, for a full term of six months, unless sooner discharged by the President and Board of Trustees.

SECTION 13. Like proceedings shall be had under the ordinances of said village against minors, for the violation of any ordinances of said village, as are herein prescribed against other persons.

SECTION 14. Trials by jury, continuances and changes of venue, as well as appeals, shall be allowed, consistent with the ordinances of said village, to any defendant, on the same terms and in like manner as such proceedings are granted by the statutes of this State before Justices of the Peace in civil cases; but the same shall not be allowed to said village, except at the request of the President of the Board of Trustees, or the attorney acting for said village, like processes may issue and legal proceedings be had to enforce the ordinances of said Village of Gardner in addition to the remedies in said ordinances prescribed, and like practices, pleadings and rules of evidence be observed as now or may hereafter obtain in such civil cases

aforesaid, and the Village Constable, Special Policeman, several officers and Magistrate of said village, as well as all other officers and persons authorized by law, rendering services to said village by virtue of any ordinance of said village, or law of said State of Illinois, shall, unless otherwise directed by ordinance, charge the same fees, to be taxed, as costs, as are allowed in the statute of said state for similar services; PROVIDED, No officer or person shall collect or retain from said village a fee in any case in which, if the people of the State of Illinois were plaintiffs, such officer or person would be entitled to no fee from the state.

SECTION 15. That no person shall be imprisoned for non-payment of a fine or judgment in any civil, criminal, quasi criminal or qui tam action, except upon conviction by jury; PROVIDED, That the defendant or defendants, in any such action may waive a jury trial by executing a formal waiver in writing: AND PROVIDED FURTHER, That this provision shall not be construed to apply to fines inflicted for contempt of court: AND PROVIDED FURTHER, That when such waiver of jury is made, imprisonment may follow judgment of the court without conviction by a jury.

The following waiver may be substantially in the following form:

STATE OF ILLINOIS,	}	ss.
Grundy County		
VILLAGE OF GARDNER,		

Now comes the defendant in the above entitled cause, and waives the right of the trial by jury, and submits the consideration of this case to the court.

Dated this day of 19....

(Signature of Defendant.)

SECTION 16. All fines and penalties shall be paid by the defendant or the officer collecting the same, to the Magistrate in charge of the docket upon which the judgment against such defendant is entered, and such Magistrate shall immediately

pay over to the Village Treasurer of said village, such collection, taking for the same duplicate receipts of said Treasurer, substantially of the following form:

Received of A. B., Magistrate, dollars andcents on a judgement of \$....., assessed against C. D., at page of said Magistrate's docket, this day of 19.....

E. F., Village Treasurer.

It shall be the duty of such Magistrate to prepare such duplicate receipts for said Treasurer to sign, and immediately after such receipts are executed by said Treasurer, to file one of said receipts with the Village Clerk of said Village, and no such collection shall be deemed to have been received by said village until such duplicate receipt is filed with said Village Clerk.

SECTION 17. The Village Constable and all Policemen of said village shall, and any officer of said village may, arrest on view, without warrant any person in the act of violating any ordinance of said village, or where such officer has reasonable grounds to believe that such person has recently violated such ordinance and will likely escape before warrant can be issued, and take such person before some Magistrate of said village, for trial, as hereinbefore described; PROVIDED, That any person so brought before such Magistrate for trial, with or without warrant, and who cannot be tried because of the absence of witnesses, or other causes, and who fails to give bail, may be detained for trial in the village prison, upon the written order of such Magistrate, stating cause of such detention, not exceeding three days, unless at the instance of such person.

SECTION 18. This Ordinance shall be known as Ordinance No. 27.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 28.

An Ordinance Prohibiting the Sale to Minors of Papers Illustrating Immoral Deeds.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That it shall be unlawful for any person to sell, lend, give away, or to show or advertise, or otherwise offer for loan, gift or distribution to any minor child any book, pamphlet, magazine or newspaper, story paper or other printed paper devoted to the publication, or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of deeds of bloodshed, lust or crime.

SECTION 2. It shall be unlawful to exhibit upon any street, alley, park or other place within the corporate limits of the Village of Gardner, or any place within view of any minor child, any book, magazine, newspaper, pamphlet, story paper, or other paper or publication coming within the description of matter mentioned in the first section of this ordinance or any of them.

SECTION 3. It shall be unlawful to hire, use or employ any minor child to sell or give away, or in any manner distribute, or who, having the care, custody or control of any minor child, to permit such child to sell, give away or in any manner to distribute any book, magazine, pamphlet, newspaper, story paper or publication coming within the description of matters mentioned in the first section of this ordinance, and any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction shall be fined in a sum not exceeding two hundred dollars, or imprisoned in the county jail not the exceed six months, or both fine and imprisonment at the discretion of the court.

SECTION 4. This Ordinance shall be known as Ordinance No. 28.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 29.

An Ordinance Concerning Vagrants.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That a Vagrant, under the meaning and provisions of this ordinance, shall be deemed to be,

First—Any male person over the age of eighteen years, or any female person over the age of fourteen years, who, there is no reason to believe live idly, without proper and diligent effort to procure employment, and without any visible means to support and maintain themselves, and without any settled abode, and are of depraved and vicious habits, or who shall be found loitering, rambling or wandering about in groceries, tippling houses, beer houses, outhouses, bawdy houses, houses of bad repute, sheds, stables, market houses, lumber yards, or in the open air, or who shall be found trespassing upon the private premises of others and not giving a good account of themselves.

Second—Any person upon whom shall be found any instrument or thing used for the commission of burglary, or for picking locks, or pockets, or who shall fail to give a good account of the possession of the same.

Third—Any prostitute, courtesan, bawd or lewd woman, or any inmate of any bawdy house, or house of prostitution, or

assignation, brothel, or house of bad repute, who shall be wandering about the streets in the night time or frequenting dram shops or beer houses.

Fourth—Any procurer, pimp or other male person inhabiting a bawdy-house, or house of prostitution, or assignation, or in any way connected with the keeping of any such house.

Fifth—Any male or female person who knowingly associates with persons having the reputation of being thieves, burglars, pickpockets, bawds, prostitutes or lewd women, or gamblers, or who lodges in, or frequents houses or other places having the reputation of being the resort of thieves, burglars, pick-pockets, bawds, prostitutes or lewd women, or gambling houses, or places for the reception of stolen property.

SECTION 2. On the trial of any person charged with being a vagrant, it shall be lawful to introduce testimony as to the character and reputation of the defendant touching any of the matters set forth in Section 1, of this Ordinance, by either the Village or the accused. Any person who shall be convicted of being a vagrant under the provisions of Section 1, hereof, shall be fined in a sum not less than five dollars nor more than one hundred dollars.

SECTION 3. This Ordinance shall be in force from its passage approval and publication.

SECTION 4. This Ordinance shall be known as Ordinance No. 29.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 30.

An Ordinance to Define and Provide for the Punishment of Misdemeanors.

SECTION 1. *Be it Ordained by the President and Board*

of Trustees of the Village of Gardner, That each of the following sections shall be deemed to state a misdemeanor or misdemeanors, which, if severally or jointly committed by any person or persons, or corporation, within the territorial jurisdiction of said Village, shall subject the offender or offenders severally, to a penalty of not less than three dollars nor more than two hundred dollars; PROVIDED, That the President may release any person imprisoned for violation of any Village ordinance, and shall report such release with the cause thereof, to the Board of Trustees at their first session thereafter, AND PROVIDED FURTHER, that any act or omission forbidden by this ordinance, shall be deemed a misdemeanor; but where more than one offence is stated in a section, the offender thereof shall be liable to only one penalty.

SECTION 2. No person shall commit an assault, or assault and battery.

SECTION 3. No person shall provoke a breach of the peace, or shall use any violent, threatening, profane or indecent or boisterous language, to the disturbance of any person, or shall use any threatening, reproaching or abusive language to, of or concerning any other person, tending to provoke a breach of the peace.

SECTION 4. No person shall be drunk, nor shall be in a state of intoxication in or upon any street, thoroughfare, or public place, or in any private house, or place, to the disturbance of any person.

SECTION 5. No person shall be guilty of disorderly conduct, nor shall make, aid, countenance, or assist in making any improper noise, riot, disturbance or breach of the peace.

SECTION 6. No person shall be guilty of open lewdness, disorderly conduct, or act of public indecency, tending to debauch the public morals.

SECTION 7. No person shall, by any menace, profane swearing, vulgar language, or any disorderly or unusual conduct, interrupt or disturb any public or private school, church or other lawful assembly of people.

SECTION 8. No person, for the purpose of bathing or otherwise, shall appear in any public place, in a state of nudity, or in a dress not belonging to his or her sex, or in any indecent or lewd dress, or make any indecent exposure of his or her person.

SECTION 9. No person shall sell or offer to sell, or exhibit, any obscene or immoral book, pamphlet, paper, drawing, lithograph, engraving, picture, daguerrotype, photography, stereoscopic picture, model, cast, instrument or article of indecent or immoral use.

SECTION 10. No person shall keep or maintain a house of ill-fame or assignation, or place for the practice of prostitution or lewdness. No person shall patronize or be an inmate of the same, nor let, own or be interested in any house, room or other premises for any such purpose, or shall keep a common, illgoverned, disorderly house, to the encouragement of idleness, gaming, drinking, fornication or other misbehavior. Whoever violates any provisions of this Section shall be guilty of maintaining a nuisance.

SECTION 11. No person shall instigate, cause or procure, in any manner assist in any indecent exhibition of any animal, or shall exhibit or perform any indecent, immoral, or lewd play or show, or representation of any kind.

SECTION 12. No person shall instigate, cause or procure any dog fight, prize fight, cock fight, nor public or private fighting.

SECTION 13. No person shall negligently or wilfully injure, destroy or deface any bridge, crossing, sidewalk, lamp, lamp-post, fence, trees, building or other property of said Village, or any property belonging to any person, persons or other corporation.

SECTION 14. No person shall play for money, or other valuable thing, at any game with cards, dice, checks, or at billiards, or with any other article, instrument or thing whatever, which may be used for the purpose of playing or betting

upon, or winning or losing money, or anything of value, nor shall he bet on any game others may be playing.

SECTION 15. No person shall keep a common gaming house, or in any building, place, booth, yard or garden, by him or his agent used and occupied, procure or permit any person to frequent, or to come together to play for money, or other valuable thing, at any game, nor shall he keep or suffer to be kept any tables or other apparatus for the purpose of playing at any game or sport for money, or other valuable thing, nor shall keep or rent any such place for any such purpose.

SECTION 16. No person shall manage, use or practice any trick, sleight of hand, game or device whatever, with the intent of winning or procuring the property or money of another person, by inducing him or her to bet, loan, deposit or stake money or property upon the result of such trick, game or device.

SECTION 17. No person shall knowingly suffer or permit any dangerous, unruly, fierce or mischievous animal, being the owner or keeper thereof, to run or be at large, to the danger, annoyance or damage of any other person.

SECTION 18. No person shall, at any place in said Village, fly kites, throw stones, trundle hoops, play ball, ride bicycles on sidewalks, or engage in any sport or exercise likely to frighten horses, injure passengers or property, embarrass the passage of vehicles, or obstruct the business of other persons.

SECTION 19. No person shall throw, cast, lay or place on any sidewalk in the Village of Gardner, the rind or peel of an orange, banana, apple or other fruit.

SECTION 20. No person shall burn or set fire to any combustible matter, within one hundred feet of any shed, or barn or other building.

SECTION 21. No person shall leave open, uncovered or unguarded any cellar door, pit, well, vault or other subterraneous passage leading from into or upon any street, alley or sidewalk of said Village.

SECTION 22. No person, except peace officers, shall car-

ry or wear under his or her clothing, or concealed about his or her person, any pistol, revolver, slung-shot, knuckles, bowie-knife, dirk-knife, or any other dangerous or deadly weapon, without the written permission of the President of the Board of Trustees of said Village.

SECTION 23. No person shall write, print or paint with chalk, ink, paint or other material, any obscene words, language or expression upon any building, tenement, walk, wall or other place, or draw or paint on the same any figure, picture or representation of anything of an immodest or vulgar character.

SECTION 24. No person shall stick, paste, put up, or place upon or against any building, tenement, fence, wall, lamp, lamp-post or other place, any hand bill, show bill, picture or representation, unless by the consent of the owner or occupant of such building, tenement, fence, wall, lamp-post or other place.

SECTION 25. No person shall with other persons, congregate about or upon any stairway, doorway, window, or in front of any business or dwelling house, theatre, lecture room, church, school house, or elsewhere, and by so doing obstruct or interfere with the free passage of persons entering or occupying any such buildings or premises or by his or her language, conversation or conduct, annoy, insult or disturb persons passing along the streets or alleys, or occupying, residing or doing business in any houses or places.

SECTION 26. No person shall, in said Village, keep any dog, whelp, bitch, calf or other animal shut or tied up, in any yard, house, barn or other place, which, by barking, howling, or by other noises shall disturb the peace and quiet of any family, individual or neighborhood.

SECTION 27. No person shall injure or tear up any pavement, side or cross walk or any part thereof, or dig any hole, ditch or drain in, or dig or remove any sod, stone, earth, sand or gravel from any street, alley or public ground of said

village, without first having obtained the written permission of the President of the Board of Trustees.

SECTION 28. No person shall place or cause to be deposited on any street, alley, sidewalk or public place, or in any ditch, on or in any street, alley or other public ground, any manure or filth, or any substance emitting an unwholesome or offensive smell, or any trash, old iron, brick bats, ashes, chunks of wood, old tin or tinware, old boots or shoes, rails, wood, brush, straw, paper, cans, swill or other rubbish or leave standing in any street or alley, any wagon, buggy, sled or other vehicle, so as to obstruct or render inconvenient the passage of other persons through or along said street or alley, PROVIDED, That no person shall be liable to suffer any penalty under this section who shall remove any such rubbish or vehicle aforesaid, within the first twenty-four hours after notice so to do from the Street Commissioner, Village Constable or President of the Board of Trustees.

SECTION 29. No person shall suffer the sidewalk in front of or adjoining the premises owned or occupied by him or her to become obstructed with snow, trash, dirt or weeds.

SECTION 30. No person shall willfully make a false alarm of fire by outcry, or by using any bell or other sounding instrument; nor shall any person make a false alarm of any kind calculated to disturb the peace of the village.

SECTION 31. No person shall in any part of said village, fire or discharge any cannon, gun, pistol, revolver or other firearms, or shall set off or explode any torpedo, fire cracker, fire ball, rocket or other fireworks whatever, without first obtaining written permission from the President and Board of Trustees, but the discharge of firearms, the setting off or exploding of fireworks upon National Holidays, and in the celebration of other public and general events, or the discharge of firearms by the members of any military company when on parade, and in accordance with the command of the commanding officer, or by any city officer or other person in the discharge of any legal duty, or lawful act, when the same may be done in such a man-

ner as not to endanger the safety of any person, or in the injury of any property, shall not be deemed a violation hereof.

SECTION 32. No person shall indecently exhibit any stud horse, jack or bull, or let any such horse or jack to any mare or mares, or any such bull to any cow or cows, within the limits of this Village, unless in some inclosed place out of public view, said place to be first approved by the President of the Board of Trustees, nor shall allow any such stud horse, jack or bull to run at large, nor shall hitch or tie the same or either of them in public view, to any tree, fence or hitching rack, within the limits of said Village, or shall keep such stud horse or jack inclosed in any lot, pen or other place, unless such lot, pen or other place is sufficiently enclosed to obstruct the public view.

SECTION 33. No person shall throw or cast any stone or other missile upon or at any building, tree or other public or private property, or upon or at any person in any street, avenue, alley, lane, public place, or inclosed, or uninclosed ground in said Village or shall aid or abet in the same.

SECTION 34. No person shall knowingly sell or expose or offer for sale any sick or diseased animal, poultry or fish, to be used or eaten for food or the flesh of any sick, diseased, or otherwise unwholesome dead animal, poultry or fish, or the flesh of any animal, fowl or fish not usually used or deemed wholesome for food, or any unsound or unwholesome provisions or article of food whatever, or any pernicious or adulterated milk, drink or liquors.

SECTION 35. No person shall wilfully and maliciously tear down, mutilate or deface, or render illegible, any notice, hand bill or poster lawfully posted up on any street, alley, avenues or other places in said Village.

SECTION 36. No person shall purposely change or remove any stake, post or stone placed or set to designate any lot or land, street or alley, or show the grade of any street, alley or sidewalk.

SECTION 37. No person shall falsely represent himself to be an officer of said Village, or shall, without being duly

authorized, exercise, or attempt to exercise any of the duties, powers or functions of a Village officer; or shall hinder, obstruct, resist or otherwise interfere with any Village officer in the discharge of his official duties, or prevent, or attempt to prevent any such officer from arresting any person or persons, or rescue, or attempt to rescue from such officer any person in his custody.

SECTION 38. No person shall refuse to aid in the arrest of any offender, when ordered to do so by the Village Constable, President or any member of the Board of Trustees, or any regular or special policeman of said Village.

SECTION 39. No person shall aid, abet or encourage the rescue or escape from prison of any person or persons legally committed thereto, or shall supply, or attempt to supply, any such person or persons with any weapon, or intoxicating liquors, or with any implement or means of escape while in prison or in the legal custody of any officer of said Village.

SECTION 40. No person shall use any false scale, beam, weight or measure to be materially inaccurate and different from the standard prescribed by the laws of the State of Illinois, or rules of trade.

SECTION 41. No person shall ride or drive upon any sidewalk of said Village, any horse, mule, ass, or other animal, whether attached or not attached to any vehicle, in such a manner as to break or injure such sidewalk.

SECTION 42. No person shall erect, or cause to be erected, in on or around any park, public grounds or public square, or on any sidewalk, or in any street or alley of said Village, in such a manner as to obstruct the light of view of any person, or the free circulation of the air, any bulletin board, fence or structure upon which to post or paste any show bill or advertisement of any kind, or for any other purpose whatever.

SECTION 43. No person or persons, other than passenger or passengers, actually talking passage for some destination outside of the Village of Gardner, shall get on or off any railroad train, car or locomotive, within the corporate limits of

said Village, while the same are in motion; PROVIDED, This shall not apply to any railroad employes actually engaged in running or managing such train, car or locomotive.

SECTION 44. No person shall allow any horse, mule or other animal, or team of such, to stand on the streets, alleys or other public place, while in their possession or charge, for any unreasonable length of time, or during any severe storm or cold weather, and the Village Constable is empowered to provide suitable shelter and food for the same, said animal to be held for payment of all charges for said shelter and food.

SECTION 45. This Ordinance shall be in force after its passage, approval and publication.

SECTION 46. This Ordinance shall be known as Ordinance No. 30.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 31.

*An Ordinance, Concerning Nuisances, and Providing
Penalty therefor.*

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That within the territorial jurisdiction of said village, it is hereby declared to be a nuisance for any person or persons, or corporation:

First—To so negligently conduct any business or use any premises as to create such an offensive smell as may taint the air and render it unwholesome or disagreeable to others.

Second—To cause or suffer the carcase of any animal, or offal, filth or noisome substance to be collected, deposited or remain in any place to the prejudice of other persons.

Third—To throw or deposit any offal or other offensive or injurious matter or the carcass of any animal in any water-course, pond, spring or well.

Fourth—To deposit any night soil, dead animal or other filthy, offensive or noisome substance upon any lot, street, alley, highway, park or other place.

Fifth—To corrupt or render unwholesome or impure the waters of any stream, pond or well to the injury or prejudice of others.

Sixth—To obstruct or impede, without legal authority the passage of any gutter, conduit, sewer or natural drainage of any public or private property.

Seventh—To obstruct or encroach upon public highways, private ways, streets, alleys or commons.

Eighth—To establish, maintain and carry on any offensive or unwholesome business within the limits of said village, or within one mile of the limits thereof.

Ninth—To permit or suffer any offal, filth, refuse, animal or vegetable matter, which is liable to become putrid or offensive, or injurious to health to remain on the premises used or occupied by him, her or them, for a longer period than four hours at any one time.

Tenth—To throw or deposit straw, dirt, filth, chips, ashes or other rubbish in any street, alley, ditch or other public place.

Eleventh—To keep or suffer to be kept, in a foul, offensive, nauseous or filthy condition, any railroad car, building, yard, cellar, barn, sewer, pig-sty or privy.

Twelfth—To own, keep or use any railroad car, yard, pen, place or premises, in or upon which cattle or swine shall be confined, or kept, so as to be offensive to persons residing in the vicinity of the same, or any annoyance to others.

Thirteenth—To erect, continue or use any building or other place for the exercise of any trade, employment or manufacture, which by occasioning noxious exhalations, offensive smells, or otherwise is offensive or dangerous to the health of individuals, or of the public.

Fourteenth—For the owner or keeper of any lot or premises to suffer or remain thereon to the annoyance and detriment of other persons, a dilapidated building liable to fall or take fire, and which by reason of its proximity to the contiguous or adjacent buildings and premises of other persons, does endanger their life and property.

Fifteenth—To locate and use without first having obtained permission of the President and Board of Trustees to do so, any packing house, rendery, tallow chandlery, bone factory, soap factory, tannery, brewery, distillery, livery stable, blacksmith shop, corn crib, sheds, foundry or other buildings.

Sixteenth—For the owner and keeper of any lot or premises to suffer to stand or remain thereon, water which is or may become stagnant, foul and offensive, as well as detrimental to the health and comfort of persons residing in the neighborhood thereof.

Seventeenth—To erect or use habitually any lot, house, barn or other building for the purpose of butchering or slaughtering cattle, calves, sheep or swine, without permission granted by the President and Board of Trustees.

Eighteenth—To boil or render lard, or other animal substance, so as to taint the air or render it unwholesome or offensive.

Nineteenth—To use in the erection or repairing of any building a scaffold or scaffolds, not wide or strong enough to insure the safety of persons working thereon, or persons passing under or near the same.

Twentieth—To suffer any bitch or slut owned by him or them to run at large while in heat.

Twenty-first—To suffer any horse, ox, cow, calf, hog, dog, cat, or other animal owned by him or them, or in his or their charge, which may come to its death in any manner, to lie for more than twenty-four hours after its death, in or upon any street, alley or other ground, public or private.

Twenty-Second—To deposit in any of the streets, alleys or

upon any sidewalk, any manure or filth of any kind, taken from any stable, barn or other place, or permit the same when so deposited to remain in any street or alley, or upon any sidewalk.

SECTION 2. Whoever violates any clause or section of this ordinance, shall be fined not less than three dollars or more than two hundred dollars; and if any such person or corporation shall continue a nuisance after being fined for the same, a new cause of action shall immediately accrue against such person or corporation, subjecting the offender to a like penalty aforesaid, and so on, after rendition of each fine, the continuance of such nuisance shall be deemed a new cause of action, subjecting the offender to a like penalty aforesaid; PROVIDED, That the offender shall, in every case, under the ordinance, be notified by some executive officer of said village, to remove or abate any such nuisance, and be allowed a reasonable time, to be fixed by such officer in such notice, according to the nature of such nuisance, to so remove and abate the same, and upon so doing within the time fixed by such officer, the offender shall not be subject to the fine aforesaid, unless the commission of such nuisance was wilful or resulted in actual damage to the person or property of some person or corporation.

SECTION 3. If any person, persons or corporation guilty of creating, suffering or continuing any nuisance defined in this ordinance, shall upon being notified as aforesaid, neglect or refuse to remove, abate or discontinue such nuisance within the time specified in such notice it shall then be the duty of the Village Constable to cause such nuisance to be abated or removed, and shall keep an accurate account of the necessary expense incurred thereby, which expense shall be collected by action of debt in the name of the Village of Gardner, before the Police Magistrate, or any Justice of the Peace in said village, from the offender, and the removal or abatement of such nuisance, by the Village Constable and the collection of the expenses thereby incurred, as herein provided, shall be no bar to a prosecution for the penalty provided for in section 2 of this ordinance.

SECTION 4. This Ordinance shall be known as Ordinance No. 31.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 32.

An Ordinance Regulating Billiard Tables and other Games.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That it shall be unlawful for any person or persons within the corporate limits of said village to keep for use any billiard table, pool table, bagatelle table, Jenny Lind or pigeon hole table, nine or ten pin alley, shooting gallery, or shuffle board or any other table or thing of like nature, with a view of gain or of increasing his custom or business, without first being licensed so to do by the President and Board of Trustees of said village, as herein afterwards provided, under penalty, for so doing of not less than ten dollars or more than one hundred dollars.

SECTION 2. The President and Board of Trustees may grant or reject any application for such license, and fix by resolution the amount to be paid for such license, and any person or persons desiring such license shall file with the Village Clerk an application therefor in writing, setting forth the location of the building or room to be occupied, and the length of time the same is wanted, and the name and residence of sureties offered on the bond required in section three of this Ordinance.

SECTION 3. Before any license under this ordinance is granted, the applicant or applicants therefor shall execute a bond, payable to the Village of Gardner, in the penal sum of two hundred dollars, with surety, conditioned that the person or persons to whom such license is granted, shall observe all laws and

ordinances of said Village that may be in force regulating or relative to such business so licensed, which bond shall be approved by the President and Board of Trustees and filed with the Village Clerk before the issuance of such license.

SECTION 4. Licenses issued under this ordinance shall be signed by the President of the Board of Trustees, and attested under the seal of said Village by the clerk, and shall state the nature of the employment thereunder licensed, the time for which it is granted, the name of the person or persons to whom it is granted, the house or place intended to be occupied, that such license shall be used and the privileges granted thereunder shall be exercised at such place only, and that such license shall not be transferable or assignable and shall be conditioned that any violation of this ordinance shall work a forfeiture of such license, and all sums of money which may have been paid thereon, at the election of the President and Board of Trustees.

SECTION 5. No person holding a license under this ordinance, shall suffer or permit any minor, under the age of 21 years, to frequent or loiter about the premises so occupied by him, or play at any game or games so licensed without the written permission of the parent, master or guardian of such minor, or shall sell, barter, exchange or give away in connection with such business, any intoxicating liquors, contrary to the ordinances of the Village; nor shall suffer or permit any betting, gaming, riotous or disorderly conduct upon the premises occupied by him. Any person violating any provisions of this section, shall be fined in a sum not less than twenty-five dollars nor more than one hundred dollars. Any shift or device to evade this section shall be deemed a violation thereof.

SECTION 6. Everyone who shall take out a license under the provisions of this ordinance, shall close his place of business at eleven o'clock every night, and keep the same closed and all lights out until five o'clock the next morning; and keep it closed all day on Sunday, and shall not permit any person not belonging thereto, in his place of business on Sunday. Any person

violating the provisions of this section, shall be fined in a sum not less than ten dollars nor more than twenty-five dollars.

SECTION 7. Every room or place kept open by virtue of license under this ordinance, shall be subject to inspection by the Village Constable or any Police Officer at any time such constable or police officer deems it necessary to go into the same, and any person or persons hindering, resisting, opposing or attempting to hinder, resist or oppose said constable or police officer while going into, or attempting to go into such room or place, shall forfeit and pay a fine of not less than five dollars nor more than twenty-five dollars.

SECTION 8. No person licensed under the provisions of this ordinance shall permit any kind of gambling in his place of business, either by means of cards, dice, balls and pins, or any other device. Any person violating any of the provisions of this section, shall, upon conviction, thereof, be fined a sum not less than ten dollars nor more than fifty dollars.

SECTION 9. That the keeper or keepers of all kinds of tables, games or devices, by whatever name the same may be called, and all devices and schemes, however constructed, used or kept by any person or persons in said Village, for the purpose of playing of games for the gain or profit direct or indirect, to such keeper, shall be, and are hereby declared to be, subject to the same rules and regulations, penalties and forfeitures as are provided in this ordinance.

SECTION 10. This Ordinance shall be in force from its passage, approval and publication.

SECTION 11. This Ordinance shall be known as Ordinance No. 32.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 33.

An Ordinance Concerning Shows and Exhibitions.

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner,* That no person shall own, conduct, manage or exhibit within said Village, any theatre, circus, caravan, menagerie or other exhibition, show or amusement, or exhibit any natural or artificial curiosity panorama, or other show or device of any kind, or give any concert or musical entertainment, where pay shall be required for admittance, without first obtaining a license; PROVIDED, That for musical parties or concerts and exhibitions of paintings or statuary given by citizens of this Village no license shall be required.

SECTION 2. The Village Clerk shall issue licenses as required in the foregoing section, and collect such sums of money therefor as the President and Board of Trustees, in their discretion may fix upon in each particular case.

SECTION 3. All licenses issued under the provisions of this ordinance shall state the object and length of time for which the same may be granted. The holder of such license shall keep and preserve good order at his or her exhibition or amusement, and in order thereto, he or she shall keep a sufficient police force at his or her expence.

SECTION 4. If any person shall violate, or aid or assist in violating any of the foregoing provisions, or neglect or refuse to conform thereto, such person shall forfeit and pay a fine of not less than five nor more than one hundred dollars for each violation.

SECTION 5. This Ordinance shall be in force from its passage, approval and publication.

SECTION 6. This Ordinance shall be known as Ordinance No. 33.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 34.

An Ordinance Relating to Selling Property, and Exhibitions.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That no merchant, auctioneer, peddler or other person or persons, company or corporation, shall be permitted to sell or vend either at private sale or public auction, any goods, wares, merchandise or real estate or other property within the corporate limits of said village, without first having obtained a license to do so, as hereinafter provided, under penalty for so doing of not less than three dollars nor more than fifty dollars.

SECTION 2. No person, company or corporation shall be permitted to exhibit any show, theatrical performance, wax figures, animals, puppets or perform any feat or trick, such as circus riding, or exhibit of any thing of like nature, for profit or gain within the corporate limits of said village, without having obtained a license so to do, under penalty for so doing of not less than three dollars, nor more than one hundred dollars.

SECTION 3. A license shall be granted to any person, persons, company or corporation, to pursue the occupation specified in sections one and two, unless otherwise expressly ordered by resolution of the Board of Trustees; and said Board of Trustees shall fix by resolution the amount of license fee to be charged in each case, upon application being made to the said Board for that purpose, but during the time the Board is not in session, the Village Clerk is authorized to issue such license for a time ending at noon the day after the first meeting thereafter of the Board of Trustees, according to the following schedule:

Auctioneers \$3.00 per day, \$15.00 per week.

Theatrical and other performances in hall \$2.00 per day.

Circuses and exhibitions in large tents \$5.00 per day.

Each show under separate tent \$2.00 per day.

Baby Racks, Cane Racks and swings \$2.00 per day.

Peddlars selling notions, drygoods, fruit and vegetables \$3.00 per day.

Moving Picture shows \$10.00 per year.

SECTION 4. Such license shall be issued by the Village Clerk under the seal of said Village, and shall authorize the person to whom same is granted to pursue any and all pursuits named therein, in the manner and for the time and at the place set forth in said license, and the same shall not be transferable or assignable, and such license shall be of no validity except in the hands of the original grantee.

SECTION 5. No license shall be delivered to any person or persons for any purpose whatever, until such person or persons shall have paid to the Village Clerk the license fee required under this ordinance, or by resolution of the Board of Trustees, and the fee shall in all cases be paid by him into the Village Treasury.

SECTION 6. The Village Clerk is hereby authorized to charge the applicant for any such license aforesaid a fee of one dollar for issuing the same, provided that no additional fee shall be charged for a re-issue of license necessitated by a meeting of the Board of Trustees, when the same was issued by the Village Clerk under the provisions of section (3) of this ordinance.

SECTION 7. The provisions of this ordinance shall not apply to bonafide residents and taxpayers of the Village of Gardner, or adjacent farming community, or wholesale dealers.

SECTION 8. This Ordinance shall be in effect and force from its passage, approval and publication.

SECTION 9. This Ordinance shall be known as Ordinance No. 34.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 35.

An Ordinance Prohibiting the Sale of Undrawn Poultry, Fish, Game of Animals Used for Food.

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner,* That it shall be unlawful for any person, firm or corporation within the limits of the Village of Gardner, to sell, offer or expose for sale any animal, fowl, fish or game used for food purposes refrigerated or otherwise, which has not been properly drawn and prepared by removing the viscera (bowl entrails) at the time of slaughter.

SECTION 2. Any person, firm or corporation, violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars.

SECTION 3. This Ordinance shall be in force and effect after its passage approval and publication.

SECTION 4. This Ordinance shall be known as Ordinance No. 35.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 36.

An Ordinance to Provide for and Regulate the Building of Curbs and Gutters on the Streets of the Village of Gardner.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* That all owners of lots or parcels of land in the said Village of Gardner be, and the same are hereby granted the right to construct, maintain and renew a stone or concrete curb, with or without a gutter in front of

their several lots or parcels of land. Said curb shall be built of the best materials, shall be of such a height as will conform to the grade of the sidewalk, in all streets of one hundred feet in width; said curbs shall be placed fifteen feet from the outer edge of the sidewalk, and in all streets sixty or seventy feet wide said curbs shall be placed (12) feet from the outer edge of the sidewalk, and shall be laid out and constructed under the supervision of the street and alley committee.

SECTION 2. This Ordinance shall be in force and effect from its passage and approval.

SECTION 3. This Ordinance shall be known as Ordinance No. 36.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 37.

*An Ordinance to Prohibit the Sale, Lighting and Use of
Fireworks, Torpedoes and Roman Candles, and
Prescribing Penalties therefor.*

SECTION 1. *Be it ordained by the President and Board of Trustees of the Village of Gardner,* No person shall sell, keep or expose for sale within the corporate limits of the village of Gardner any fireworks, firecrackers, torpedoes, Roman candles, sky rockets or other pyrotechnic display or merchandise to be used for such display, containing dynamite or other explosive material except ordinary gunpowder.

SECTION 2. No person shall at any time discharge anywhere within the village, or have in his position for such purpose, any toy pistol, toy gun, toy cannon, blank cartridge, fire cracker exceeding two inches in length and one quarter of an inch

in diameter, torpedo exceeding three-fourths of an inch in diameter, nor shall any person at any time discharge or set off anywhere within the village, or have in his possession for such purpose, firecrackers of any size or fireworks which contain any explosive more powerful than black powder.

SECTION 3. Any person violating this ordinance shall be fined not less than ten dollars nor more than fifty dollars for each offence.

SECTION 4. This ordinance shall be in force and effect after its passage, approval and publication.

SECTION 5. This Ordinance shall be known as Ordinance No. 37.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 38.

An Ordinance Relating to the Fire Department.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That there shall be kept and maintained within the corporate limits of said Village, an organization to be known as the Fire Department of the Village of Gardner, Grundy County, Illinois.

SECTION 2. The officers of said organization shall be a Fire Marshall, who shall also be ex officio President, a Secretary and Treasurer and three Trustees, to be elected by the members and confirmed by the President and Board of Trustees, said Fire Marshall, Secretary and Treasurer to hold their offices for one year and until their successors are elected and qualified, the Trustees so elected shall hold their offices, one for one year, one for two years and one for three years, the

terms of the first three to be decided by lot among themselves, and thereafter one shall be elected each year for three years.

SECTION 3. Said Fire Department shall be under the direction and control of the President and Board of Trustees at all times, and shall not be disbanded under any circumstances without first giving sixty days notice in writing to the President and Board of Trustees.

SECTION 4. All male inhabitants between the ages of 21 and 50 years shall be eligible to membership, and may become members by filing with the secretary an application in writing, said application to be balloted upon at the next regular meeting of the said Fire Department, and if elected to membership the same shall be reported to the President and Board of Trustees at their next regular meeting for their approval or rejection, and the action of said Board thereon shall be by the Village Clerk reported to the Secretary of the Fire Department. Any member on reaching the age of 50 years shall cease to be an active member, but may continue an honorary member indefinitely, with all the rights and privileges usually accorded honorary members in similar organizations.

SECTION 5. No orders or commands shall be given or obeyed by the members of said Fire Department except such as are given by the officer in command; all others are subordinate to him.

SECTION 6. Any person or persons who shall take away any tool, implement, ladder or other thing, or shall mutilate, break, injure or deface anything belonging to said Fire Department, in, on or around the premises of said Fire Department, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than \$3.00 nor more than \$100.00.

SECTION 7. All supplies shall be ordered through the Fire Marshall, and in his absence by the next in authority, by requisition, on the village clerk, who shall present the same to the President and Board of Trustees.

SECTION 8. The Fire Marshall shall have entire charge

of the fire engine and all apparatus, see that the lights are kept burning at night in the engine house, and that fire is kept there in in the winter season, see that the engines are properly charged immediately after a fire, and at all time ready for instant use, and shall receive as compensation the sum of Twenty-five dollars per annum.

SECTION 9. It shall be the duty of all the members of said Fire Department to meet at least once each month for drill and exercise, and to transact any business that may properly come before said meeting, the Secretary shall keep a record of each meeting, call the roll of the membership and note absentees.

SECTION 10. All fines and penalties for violation of this ordinance may be collected by suit in the name of the Village in an action for debt, before the Police Magistrate, or any Justice of the Peace in said Village, and when collected shall together with all donations made to the said Fire Department be turned over to the Villag Treasurer, to be held by him as a special fund to be drawn upon for the payment of any damage to clothing or other personal effects, or for any aid to any member injured in the discharge of his duty in fighting fire, PROVIDED, the Village will assume the payment for emergency first aid to any member injured in the discharge of duty fighting fires, or for damage to clothing or other personal effects, when there is no money in said special fund, to pay the same. All claims for such damage or injury to be submitted to the fire committee of the Board of Trustees and the Trustees of the Fire Department acting jointly.

SECTION 11. At any time the alarm of fire is sounded there shall be a reward of one dollar given to the driver or owner of the first team that arrives at the engine house and attaches to the chemical engine and hauls it to the place of fire, same team to return the engine to the engine house after the fire, but the officer in command may, in case of emergency press into service any team that may be at hand for the same purpose as aforesaid, and report the same to the President and Board of Trustees at their next regular meeting, that due allowance may be made for the services of said team.

SECTION 12. All Ordinances, or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 13. This Ordinance shall be known as Ordinance No. 38.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 39.

*An Ordinance Establishing Fire Limits in the Village
of Gardner.*

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That all that part of said village embraced within the following boundary shall hereafter be known as the fire limits of said village, viz: Bounded on the North by Washington Avenue, on the East by Center Avenue, on the South by Jefferson Street and on the West by Jackson Street.

SECTION 2. It shall be unlawful to erect any building or structure of any kind within said fire limits, unless the outside walls and party walls be composed of brick, stone, iron or other incombustible material, said outside walls of not less than one foot in thickness, and if such building be more than two stories (above the basement) the outside walls of basement and first story shall be not less than sixteen inches thick, and walls of all stories above the second shall not be less than twelve inches thick and all outside walls except the rear one shall extend at least one foot above the roof, PROVIDED, that buildings erected for and used as dwellings only may be built with walls four inches less in thickness than above specified and any dwelling, cottage or barn one story in height may be built with walls not less than eight inches thick, AND PROVIDED FURTHER, that no

cornice of wood shall be placed on any building over one story high not counting the basement (if any) as one story, and that all wood joists, beams or other timbers in outside and party walls shall be separated at least four inches from each other, with stone or brick laid in mortar, and all wood lintels or plate pieces in front, rear or side walls shall recede from the outside wall at least four inches, and when they do not so recede shall be covered with fireproof material.

SECTION 3. It shall be unlawful for any person, firm or corporation to cover or re-cover any building now erected or hereafter to be erected within said fire limits, with shingles, boards or other combustible material, but all such buildings shall in all cases be covered with metal, tile, slate or some other good fire proof material, PROVIDED, however, that the President and Board of Trustees may for good and sufficient reasons shown grant and permit to any person applying therefor to cover any building or re-cover any building in said fire limits with shingles or other material.

SECTION 4. Sheds not exceeding twelve feet in height to the peak, and privies not exceeding eight feet square and ten feet in height at the peak may be built of wood.

SECTION 5. All depositories for ashes within or without the fire limits within the corporate limits of the village of Gardner, shall be built of brick or other fire proof material, if within twenty-five feet of any building or other combustible material.

SECTION 6. No wooden building or part thereof within said fire limits shall be raised, enlarged or repaired, except such as are used exclusively for private dwellings, which may be repaired subject to the provisions of section 3, of this ordinance, but shall not be raised or enlarged, nor shall any wooden building within the fire limits be removed to any other place within the same, (PROVIDED, the President and Board of Trustees may grant permission to move a wooden building from one place within said fire limits to another place within same, if in their judgement the fire hazard will be reduced by such removal),

nor shall any wooden building within said limits which may become damaged to the extent of fifty per cent of the value thereof, by fire or other casualty, be repaired or rebuilt, and the extent of such damage may be determined by three disinterested citizens of the Village of Gardner, one to be chosen by the owner or his agent, one by the President of the Board of Trustees, and they two select the third, and the decision of a majority of the three so chosen shall be final.

SECTION 7. Any owner, builder or other person who shall own, build or aid in the erection of any building within the fire limits contrary to the provisions of this Ordinance, or who shall own, remove or assist in removing any wooden building or part thereof from without said fire limits within the same, or own, repair or assist in repairing any damaged wooden building, contrary to the provisions of this Ordinance, shall be subject to a fine of not less than twenty-five dollars, nor more than one hundred dollars for the first offence, and a like fine for every twenty-four hours such person shall fail to comply with the provisions of this ordinance, or continue in violation of the same.

SECTION 8. Any wooden building or part thereof which may be erected, enlarged, removed or repaired contrary to the provisions of this Ordinance shall be deemed a nuisance and the President of the Village Board shall through the village constable give reasonable notice to the owner or builder to abate the same, and upon the failure of the said owner or builder to comply with said notice, he or they shall be subject to a penalty of five dollars for every day he or they shall continue the violation after the expiration of the time specified in the said notice.

SECTION 9. It shall be unlawful within the said fire limits to build or have built or use when built any chimney with walls less than four inches in thickness, of brick or stone completely imbedded in mortar, and plastered inside with a smooth coat of the same, and hereafter in any building intended for a store or public hall no chimney shall be built with a less flue than eight by eight inches, and all chimneys shall extend at least three feet above the roof, and all buildings intended for

stores or public halls shall be provided with ample means of escape in case of fire.

SECTION 10. It shall be the duty of the Fire Marshall of the said village to inspect from time to time during business hours all stoves, stove pipes, flues and chimneys within the fire limits, with regard to their condition and safety, and finding any stove, stove pipe, flue or chimney in such an unsafe condition as to endanger the building in which the same may be or any building adjacent thereto, he shall at once notify the owner or occupier of said building to put the same in a safe condition, and any owner or occupant who shall fail to comply with said notice for two days after being so notified, he she or they shall be subject to a penalty of not less than three dollars, nor more than twenty-five dollars, and the fire marshall shall proceed to make the repairs necessary to make such stove, pipe, flue or chimney safe, reporting the cost to the village board, and the same may be added to the above penalty, or may be recovered in a separate action in the name of the Village.

SECTION 11. The Fire Marshall shall have charge of all ladders, fire hooks, axes, buckets, engines and other fire apparatus, belonging to the village, and shall keep the same secure in the engine house, and shall in no case allow any of said apparatus to be removed from said building under any pretext whatever, only upon the alarm of fire, or for making any necessary repairs, and in all cases as soon as the fire is over, or the necessary repairs made, such apparatus shall be at once restored to its proper place, any person who shall remove any of the above apparatus from the said building unless at such times and for the purposes above specified, such person shall be subject to a penalty of not less than five dollars nor more than one hundred dollars, and a like penalty for every twenty-four hours he, she or they shall keep any part of such apparatus away from said building .

SECTION 12. This Ordinance shall be in force from its passage, approval and publication.

SECTION 13. This Ordinance shall be known as Ordinance No. 39.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 40.

An Ordinance Relating to Fire Marshall and Fires.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That it shall be the duty of the Fire Marshall of the Village of Gardner, from time to time to examine all chimneys in Blocks 13 and 16 in said village, as to their condition and safety.

SECTION 2. All owners or occupants of any dwelling in said Blocks 13 and 16, in said village, who shall neglect or refuse to repair or make safe any such unsafe chimneys, after two days notice (either verbal or written) so to do, by said Fire Marshall, shall be subject to a penalty of not less than three dollars nor more than twenty-five dollars, and for every forty eight hours such owner or occupant shall fail to comply with the provisions of this section, he or they shall be subject to a penalty of five dollars.

SECTION 3. All stoves that now are or hereafter may be in use in any building in said village, shall be securely connected with good and safe brick chimneys, and no stove pipe when in use, shall be less than six inches from any wood or other combustible material unless there is a double circle of tin connected together with air holes through the connecting tin between said pipe and combustible material. Any person violating the provisions of this section shall be subject to a penalty of not less than three dollars nor more than twenty-five dollars.

SECTION 4. No person shall make or kindle a fire in any

plank or any other temporary shed unless said building or shed shall have therein a stove, chimney or vault in which to make or kindle such fire; and every person so offending, shall forfeit and pay a penalty of not more than twenty-five dollars.

SECTION 5. No lighted candle or other material used for light, shall be used in any stable, barn or building where hay, straw, shavings, or other combustible materials are kept, unless the same be well secured in a lantern; any person violating the provisions of this section, shall be subject to a penalty of not less than three dollars nor more than twenty-five dollars.

SECTION 6. This Ordinance shall be in force after its passage, approval and publication.

SECTION 7. This Ordinance shall be known as Ordinance No. 40.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern, Village Clerk.*

(SEAL)

ORDINANCE NO. 41.

An Ordinance Authorizing Charles A. Monroe, His Legal Representatives, Successors and Assigns, to Construct, Operate and Maintain an Electric Light and Power System in the Village of Gardner, in Grundy County, Illinois.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner, That the right, permission and authority be and the same is hereby granted to Charles A. Monroe, his legal representatives, successors and assigns, to construct, operate and maintain a system for the distribution and sale of electricity for lighting, heating and power purposes, and to construct, operate and maintain all poles, wires, conduits and apparatus necessary or convenient for such system in, upon,*

along, across and under each and all of streets, alleys and avenues of the Village.

SECTION 2. The right and privilege hereby granted shall exist and continue for a period of fifty years from and after the passage of this ordinance. All poles erected in streets, alleys or avenues shall be so placed as not to interfere unnecessarily with travel on such streets, alleys or avenues, and shall be erected under the supervision of the committee on streets and alleys. Any damage to any street or alley caused by the erection of any pole or poles shall be promptly repaired by the grantee herein, his legal representative, successors and assigns, at his or their own expense, to the satisfaction of said committee.

SECTION 3. The grantee herein, his legal representatives, successors and assigns, shall during the life of this ordinance, keep on file with the Village Clerk a good and sufficient bond in the sum of Ten Thousand dollars, conditioned to protect and indemnify the Village from and against any loss, injury, damage or liability arising from or growing out of the construction of said system or arising on account of the privilege herein granted.

SECTION 4. All poles to be erected under the provision of this ordinance shall, whenever practicable, be erected in the alleys of the Village and shall be not less than twenty-five feet in length and symmetrical in form and all wires shall be at least eighteen feet above the surface of the ground, unless the President and Village Board or its duly authorized agent shall approve of poles of a different length or form; upon application being made for such purpose. All poles shall be kept painted and in good repair by said Charles A. Monroe, his legal representatives, successors and assigns. The said Village shall furthermore be privileged to string such Village wires as pertain to the fire alarm and police system as it may desire on the cross arms of said poles without expense to such Village for said privilege.

SECTION 5. All lines of wire shall be properly constructed and shall be located under the supervision and direction and to the satisfaction of the President and Board of Trustees of said Village, or their duly authorized agent as may be hereafter designated by ordinance.

SECTION 6. In consideration of the rights and privileges herein granted, the grantee, his legal representatives, successors and assigns, shall during the term of this grant furnish to the Village free of cost or expense, electricity for lighting all portions of buildings in the Village used for public purposes ,including buildings used for Village Hall, Library, Police Station or Stations and Fire Department.

SECTION 7. The President and Board of Trustees of the Village hereby find and declare that petitions have heretofore been presented to them and have been filed with the Village Clerk, signed by the owners of the land representing more than one half of the frontage on the Streets and Alleys in, along and over which permission is herein granted to construct said system and as to such streets that are more than one mile in length ; signed by the owners of the land representing more than one half of the frontage of each mile and of the fraction of a mile if any, in excess of the whole mile, requesting and petitioning said President and Board of Trustees, to grant to said Monroe, his legal representatives, successors and assigns the rights and privileges hereby conferred ; that said petitions conform in all respects to the requirements of the Statute of the State of Illinois, with respect to grants of the character herein made and that this ordinance is passed upon and pursuant to said petitions.

SECTION 8. Said Charls A. Monroe, his legal representatives, successors and assigns, shall be subject to all reasonable regulations which may hereafter be required by said Village in relation to the use of the public streets and alleys of said Village.

SECTION 9. This ordinance shall be in force and take effect from and after its passage and approval.

Passed this 4th day of April, 1910.

Approved this 4th day of April, 1910.

Geo. Grogan, President of the Board of Trustees.

Jas. R. Suffern, Village Clerk.

ORDINANCE NO. 42.

An Ordinance Granting the Chicago Telephone Company Certain Rights in the Village of Gardner.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That the Chicago Telephone Company, its successors, lessees and assigns, are hereby granted the right to erect, maintain and renew upon and along the streets and alleys of the Village of Gardner, lines of poles, wires and cables, and to use the same for supplying the general public means of communication by telephone or other electrical devise.

SECTION 2. The lines of poles shall be located under the supervision of the chairman of the committee on streets and alleys of the Village Board, and shall be so placed and maintained as not to interfere with ordinary travel, or with any water or sewer pipes; and said company its successors and assigns, shall hold the village harmless from all damages resulting from the erection or maintainance of the structures hereby authorized.

SECTION 3. In consideration whereof said Chicago Telephone Company shall allow the Village of Gardner the use of its poles and fixtures for the Police and Fire Alarm wires of said village, reserving on the top cross arm of each pole sufficient space to carry such wires under the direction of the company's General Superintendent, and so as not to interfere with said company's use of said poles; said company, its successors and assigns, shall furnish said village, after the establishment of an exchange hereunder, and so long as said company, operates its exchange hereunder, one telephone with local exchange service free of charge in each and every fire engine house maintained by said village, the usual contract for each telephone shall be previously signed for the village by the President.

SECTION 4. This Ordinance shall be in force from and after its passage and the filing in the office of the Village Clerk of

a written and unconditional acceptance of its provisions by said Chicago Telephone Company.

Passed by the Board of Trustees September 12th, 1898.

Approved by the President September 12th, 1898.

ORDINANCE NO. 43.

An Ordinance Defining Words and Phrases Used in Ordinances.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* Whenever any ordinance or part of ordinance shall be repealed or modified by a subsequent ordinance, the ordinance or part of ordinance thus repealed or modified, shall continue in force until the due publication of the ordinance repealing or modifying the same, when said publication is required to give effect thereto, unless therein otherwise expressly provided, but no suit, proceeding, right, or penalty instituted, created, given, secured or accrued under any ordinance previous to its repeal or modification, shall in any way be affected, released or discharged, but may be prosecuted, enjoyed, and recovered as fully as if said ordinance had continued in force, unless otherwise expressly provided therein.

SECTION 2. Whenever any words in any ordinance importing the plural number shall be used in describing or referring to any matter, parties or persons, any single matter, party or person shall be deemed to be included, although distributive words shall not be used therein. And when any subject matter, party or person shall be referred to in any ordinance by words importing the singular number only, or masculine gender only, several matters, parties or persons, females as well as males, and also bodies corporate shall be included. Provided, that these rules of construction shall not be applied to any ordinance which shall contain any express provision excluding such construction, or where the subject-matter or context of said ordinance shall be repugnant thereto.

SECTION 3. In all cases where the same offence shall be

made punishable or shall be created by different clauses or sections or the ordinances of the village, the prosecuting officer may declare upon all of said clauses or sections, but not more than one recovery shall be had against the same person for the same offence.

SECTION 4. Whenever, in any ordinance of the Village, the doing of any act or the omission of any act or duty is declared to the breach of said ordinance, and no fine or penalty is declared or fixed for said breach, any person who shall be convicted of said breach shall be fined not less than Three (\$3.) Dollars nor more than One Hundred (\$100.) Dollars for each offence; and whoever shall violate any of the provisions of any ordinance, where no specific fine or penalty is provided, upon conviction thereof, shall be fined not less than Three (\$3.) Dollars nor more than One Hundred (\$100) Dollars for each offence.

SECTION 5. This Ordinance shall be in force and effect after its passage, approval and publication.

SECTION 6. This Ordinance shall be known as Ordinance No. 43.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 44.

An Ordinance to Regulate the Sale and Use of Cigarettes.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That any person who shall sell or give away to any minor under the age of 18 years any cigarette or cigarettes, shall be punished by a fine not exceeding one hundred dollars.

SECTION 2. Every person under the age of 18 years, who shall smoke or use any cigarette or cigarettes on any public road, street, alley or park or other land used for public purposes, or in any public place of business or amusement, shall be guilty of a misdemeanor, and punished for each offence by a fine of not more than ten dollars.

SECTION 3. Any person who shall furnish any cigarettes in any form, to any minor under the age of 18 years, or who shall permit any such person to frequent the premises owned or occupied by him, for the purpose of indulging in the use of cigarettes, in any form, shall be guilty of a misdemeanor and punished by a fine not exceeding fifty dollars for the first offence, and not exceeding one hundred for the second and every additional offence, or imprisonment in the county jail for a period not exceeding thirty days for each offence.

SECTION 4. This Ordinance shall be in force after its passage, approval and publication.

SECTION 5. This Ordinance shall be known as Ordinance No. 44.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern, Village Clerk.*

(SEAL)

ORDINANCE NO. 45.

An Ordinance Providing for a Calaboose in the Village of Gardner.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner,* There shall be kept and maintained in good and sufficient repair within the Village of Gardner, a jail or calaboose, and until otherwise ordered by the President and Board of Trustees, the stone building situated on

Lincoln street near the Village Hall, shall constitute said jail or calaboose.

SECTION 2. The Village Marshall is hereby constituted ex-officio keeper of the Village jail. It shall be his duty to keep and confine in said jail, until discharged by due course of law, all persons who shall be committed to said jail by any competent authority for the violation of any ordinance of the Village.

SECTION 3. It shall be the duty of the jailer to provide each prisoner confined therein with common food and water and to furnish necessary bedding, fuel and medical aid for all prisoners under his charge, and to keep an accurate account of the same.

SECTION 4. It shall be unlawful for the jailer or any other person to furnish any person confined therein, any spirituous, vinous, or other intoxicating liquors, under a penalty of not less than Ten Dollars (\$10) or more than Fifty Dollars (\$50) for each offence.

SECTION 5. The cost and expense of keeping the jail and of keeping and maintaining the prisoners therein shall be paid by the Village.

SECTION 6. This Ordinance shall be in force from and after its passage and due publication according to law.

SECTION 7. This Ordinance shall be known as Ordinance No. 45.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern, Village Clerk.*

(SEAL)

ORDINANCE NO. 46.

An Ordinance Concerning Streets, Alleys and Public Squares.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner, Whoever shall encumber*

or obstruct or cause to be encumbered or obstructed any street or alley, avenue or other public place within said village, by placing therein or thereon, any building, materials, timber, lumber or any article or thing whatever, without first having obtained a written permission for that purpose from the President and Street Commissioner of said village, shall be fined not less than ten dollars (\$10) nor more than twenty-five dollars (\$25) for every such offence: and shall be fined a further sum of five dollars (\$5) each day or part of day such encumbrance or obstruction is suffered to remain after notice from the President or Street Commissioner to remove the same; provided that the provisions of this section shall not extend to awnings placed in front of stores and houses where said awnings are in accordance with the Ordinances of this village.

SECTION 2. Whoever shall build, erect, place or construct, or cause to be built, erected, placed or constructed in whole or in part upon any street, alley, avenue, public land, or place, within said village, any house, stable, shed, pen, fence, wall, foundation, cellar or any structure whatever, shall on conviction thereof, be fined in a sum not less than five dollars (\$5) and not exceeding the sum of one hundred dollars (\$100) for every such offence; and a further sum of ten dollars (\$10) for every twenty-four hours he shall permit or suffer the same to remain, as aforesaid, after his conviction.

SECTION 3. Whoever, being the owner or possessor, or having the control of any wagon, sleigh, sled, or carriage or vehicle of any kind or description, shall suffer or permit the same or any part thereof, without any horse or other beast of burden hitched or harnessed thereto, to remain or stand in any alley or avenue in said village for more than three hours for any purpose, shall be fined not less than two dollars (\$2) nor more than ten dollars (\$10).

SECTION 4. No person shall remove, or cause to be removed, or aid or assist in removing any building into, along or across any street, alley or public ground in said village, without first having obtained written permission from the President, and conforming to the conditions and restrictions he may prescribe.

and any person violating any provisions of this section shall be fined twenty-five dollars (\$25), and a like sum for every twenty-four hours the same shall remain in or upon any such street, alley or public ground.

SECTION 5. That all telegraph and telephone poles hereafter to be erected within the limits of said village, shall be at least thirty-five feet in length, and that the lower wire extending on the same shall not be less than twenty-five feet above the level of the middle of the street opposite the same, and all parties, companies and corporations shall hereafter, before they, or any of them set any poles for the transmission of telegraphing, telephoning or electric lighting, or otherwise in any street, alley or public place in said village consult the President and Street Commissioner of said village in relation to the placing or setting of the same, and only place such poles and dig such streets, or in any manner disturb the same except by consent of said President and Street Commissioner and at such places and in such manner as such President and Street Commissioner shall direct or designate. Any violation of this section shall forfeit all rights conferred upon such person, company or corporation to use the streets, alleys and public places of said village.

SECTION 6. Whoever shall stop with or leave any horse, mule or other beast of burden, whether attached to any wagon, carriage or other vehicle or otherwise, upon any regular crossing over any street, avenue, alley or railroad track in this village, so as to obstruct such crossing, shall be fined five dollars (\$5) for every such offence.

SECTION 7. The Street Commissioner and the President of said village are hereby authorized to order any article or thing whatever which may encumber or obstruct any street, alley or public place in said village, to be removed, and if such article or thing shall not be removed within two hours after notice to the owner thereof to remove the same, or if the owner cannot be readily found for the purpose of such notice, to cause the same to be removed to some suitable place to be designated by the President or any Trustee, and any such article or thing which may be removed according to the provisions hereof shall

be advertised and sold by the Street Commissioner at the expiration of thirty days after such removal, unless the same shall be sooner claimed by the owner, and the fine, if any, shall have been imposed and all costs occasioned by such obstruction be paid and the officer making such sale shall make report thereof to said Board of Trustees at their next meeting thereafter.

SECTION 8. Whenever the owner of any building or fence, house, stable, or shed, pen, wall, foundation, cellar or any structure whatever, upon any street or public place in said village, shall refuse or neglect to remove the same after ten days notice in writing by the President so to do, the same shall be deemed a nuisance, and the President shall cause the same to be removed or taken down, and the expense thereof shall be recovered from the owner.

SECTION 9. Whoever shall, in said village, hitch or fasten any horse, mule or any other animal, to any ornamental or shade tree growing upon any sidewalk, street or other public place, or to the boxing thereof, or to any fence, railing (except such as may be erected for that purpose), or to any awning post, lamp or gas post, or who shall injure or destroy any ornamental or shade tree, fence, railing, awning post, lamp or gas post, in any private or public ground (the person injuring or destroying not being the owner thereof), shall be fined not less than ten (\$10) nor more than one hundred dollars (\$100.) for every such offence, in addition to the actual damages thereof.

SECTION 10. Whoever shall pull up or break down or otherwise injure any of the trees, grass, shrubbery, fences, seats, stands or other fixtures or things in or about, or appertaining to any public square or park in said village, or whoever shall erect any booth or other structure on any such public square or park without the written permission of the President of the Village first had and obtained, or whoever shall commit any nuisance in or upon any such square or park, shall be fined not less than ten dollars (\$10) nor more than fifty dollars (\$50) for each offence.

SECTION 11. This Ordinance shall be in force and effect after its passage, approval and publication.

SECTION 12. This Ordinance shall be known as Ordinance No. 46.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 47.

An Ordinance Relating to Dogs.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That the President of said Village shall at any time on an alarm of mad dogs, or whenever he may deem it advisable, if in his opinion the public safety shall require it, prohibit, by proclaiming or notice, by posting the same in three public places in said village, all dogs from running at large in said village, unless the same shall be securely muzzled, and such proclamation shall continue in force so long as the public safety, in the opinion of the President, may require it, and shall remain in force until the President shall give notice of discontinuance thereof.

SECTION 2. Every dog running at large without a muzzle during the time of proclamation mentioned in section one of this ordinance is in force, shall be killed and buried by or under the direction of the Village Constable, and for which said constable shall be paid out of the village treasury, fifty cents for each dog so killed and buried.

SECTION 3. Any person, who, being the owner of any bitch, or having the custody of the same, shall wilfully permit the same to run at large while in heat, shall be fined not less than Three dollars and not to exceed Fifty dollars, and any such bitch running at large shall be killed by the village constable.

SECTION 4. The word dog, whenever used in this ordin-

ance without qualification, shall be intended and interpreted to mean dog, bitch or whelp.

SECTION 5. Whoever in said village, shall violate or fail to comply with any of the provisions of this ordinance, or whoever shall in any way hinder, interrupt or prevent, or attempt to hinder, interrupt or prevent said constable, from performing any duty required by this ordinance, shall be fined not less than five dollars nor more than fifty dollars.

SECTION 6. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 7. This Ordinance shall be known as Ordinance No. 47.

Passed July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 48.

An Ordinance Providing for the Public Safety.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That all public halls, which provide seating room above the first or ground story, shall be provided with metallic ladders or stir fire escapes, attached to the outer walls thereof and extending from, or suitably near the ground, to the uppermost story thereof, and provided with platforms of such form and dimensions, and in such proximity, to one or more windows or doors of each story above the first, as to render access to such ladder or stairs from each story easy and safe; the number, location, material and construction of such escapes to be subject to the approval of the corporate authorities of the village of Gardner.

SECTION 2. All public buildings which may or shall be used for churches, school houses, opera houses, theatres, lecture

rooms, hotels, public meetings, town halls, or which may or shall be used for any purpose whereby a collection of people may be assembled together for religious worship, amusement or instruction, shall be so built and constructed that all doors leading from the main hall or place where said collection of people may be assembled, or from the principal room which may be used for any of the purposes aforesaid, shall be so swung upon their hinges and constructed that said doors shall open outward; and all means of egress for the public from the main hall or principal room, and from the building, shall be by means of doors which shall open outwards from the main hall or building.

SECTION 3. That any person or persons who shall fail or refuse to comply with the provisions of this ordinance shall be fined in any sum not less than one hundred dollars nor more than two hundred dollars.

SECTION 4. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 5. This Ordinance shall be known as Ordinance No. 48.

Passed by the Board of Trustees July 13, 1914.

Approved July 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 49.

REVISED ORDINANCES.

An Ordinance Adopting the Revised Ordinances of the Village of Gardner, and Providing for the Publication thereof, and the Repeal of all Ordinances in Conflict therewith.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That the following designated Ordinances, Numbered from One to Forty Nine both in-

clusive, and more particularly by their respective Titles and Numbers, substantially as follows, to-wit:—

Ordinance	No. 1.	<i>Territory of Village.</i>
"	No. 2.	<i>Village Seal.</i>
"	No. 3.	<i>Elections.</i>
"	No. 4.	<i>Meetings of Village Board.</i>
"	No. 5.	<i>Officers and their Duties.</i>
"	No. 6.	<i>Style of Ordinances.</i>
"	No. 7.	<i>Publication of Ordinances, and when to Take Effect.</i>
"	No. 8.	<i>Municipal and Fiscal Year.</i>
"	No. 9.	<i>Police Magistrate.</i>
"	No. 10.	<i>Police Department.</i>
"	No. 11.	<i>Board of Local Improvements.</i>
"	No. 12.	<i>Concerning Taxes.</i>
"	No. 13.	<i>Health.</i>
"	No. 14.	<i>Impounding Animals and Prohibit- ing Cruelty to Same.</i>
"	No. 15.	<i>Automobiles.</i>
"	No. 16.	<i>Safety at Railroad Crossings.</i>
"	No. 17.	<i>Railroads and Speed of Trains.</i>
"	No. 18.	<i>Explosives.</i>
"	No. 19.	<i>Dram Shops and Licensing Same.</i>
"	No. 20.	<i>Permits for Druggists to sell Liquors.</i>
"	No. 21.	<i>Drinking Liquors in adjacent Rooms Forbidden.</i>
"	No. 22.	<i>Minors and Intoxicated Persons.</i>
"	No. 23.	<i>Buying and Procuring for Minors.</i>
"	No. 24.	<i>Playing Cards in Saloons.</i>
"	No. 25.	<i>Liability for Support.</i>
"	No. 26.	<i>Peddling Beer and other Liquors.</i>
"	No. 27.	<i>Suits and Prosecutions.</i>
"	No. 28.	<i>Prohibiting the Sale to Minors of Certain Papers.</i>
"	No. 29.	<i>Vagrants.</i>
"	No. 30.	<i>Misdemeanors.</i>
"	No. 31.	<i>Nuisances.</i>

- " No.32. *Billiard Tables and other Games.*
- " No. 33. *Shows and Exhibitions.*
- " No. 34. *Property and Exhibitions.*
- " No. 35. *Undrawn Poultry, Animals and Game.*
- " No. 36. *Curbs on Streets.*
- " No. 37. *Fire Works.*
- " No. 38. *Fire Department.*
- " No. 39. *Fire Limits.*
- " No. 40. *Fire Marshall and Fires.*
- " No. 41. *Electric Light Ordinance.*
- " No. 42. *Chicago Telephone Company.*
- " No. 43. *Defining Words and Phrases used in Ordinances.*
- " No. 44. *Cigarettes.*
- " No. 45. *Calaboose or Jail.*
- " No. 46. *Streets and Alleys.*
- " No. 47. *Dogs.*
- " No. 48. *Public Safety, in Buildings.*
- " No. 49. *Adopting Revised Ordinances.*

Be and the same are hereby adopted and declared to be the Ordinances of the Village of Gardner, Illinois, and it is further ordered that the said Ordinances above mentioned, as the same were prepared, revised and arranged by John Barton, be, together with this Ordinance published in book or pamphlet form by authority of the President and Board of Trustees of said Village.

SECTION 2. That all public or general ordinances or parts thereof in conflict herewith are hereby repealed; PROVIDED, however, that no fine, forfeiture, penalty, right, action, suit or liability whatsoever created, instituted, incurred or accrued by or under the same shall be released, discharged, annulled, or in any wise affected, but may be prosecuted, recovered or enjoined as fully and in the manner in all respects as if such ordinance or part thereof had remained in full force.

SECTION 3. All ordinances, by-laws, or resolutions establishing any street, lane, alley, or public ground or park, or es-

tablishing or changing the grade of any street, lane, alley or sidewalk within said Village, or of a purely local character, or the purpose of which has been accomplished, and which remain only as authority for the act or thing done, shall remain in force.

SECTION 4. The provisions of any of the foregoing "Revised Ordinances," so far as they are the same as those of any prior ordinances of said Village, shall be construed as a continuation of such prior provision or ordinance, together with new enactments.

SECTION 5. This Ordinance and each of the above mentioned Ordinances shall be in force and effect from and after its passage and due publication, in book or pamphlet form, as is provided by law.

Passed by the Board of Trustees this 13th Day of July, A. D. 1914.

I hereby approve this Ordinance this 14th Day of July, A. D. 1914.

Frank Bookwalter, Village President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL)

ORDINANCE NO. 50.

Annual Appropriation Bill.

AN ORDINANCE making the annual appropriation for the current fiscal year.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That there be and hereby is appropriated to be provided for by the general tax levy for the current fiscal year the aggregate sum of *Six Thousand Eight Hundred and Fifteen* dollars, for the following purposes, to wit:

- | | |
|---|-----------|
| 1. For Village Constable's Salary | \$ 650.00 |
| 2. For Village Clerk's Salary and office expenses | 125.00 |
| 3. For Village President and Trustees Salary .. | 300.00 |
| 4. For Village Election Expenses | 75.00 |

5.	For Village Printing	200.00
6.	For Lighting Streets	1300.00
7.	For Streets and Alleys	3000.00
8.	For Street Commissioners Salary	540.00
9.	Village Treasurer's Salary	25.00
10.	For incidental expenses not itemized above ..	600.00

Making a total amount appropriated for the purposes aforesaid of *Six Thousand Eight Hundred and Fifteen* dollars.

SECTION 2. This Ordinance shall be in force and effect from and after its passage, approval and publication.

SECTION 3. This Ordinance shall be known as Ordinance No. 50.

Passed July 27, 1914.

Approved July 28, 1914.

Published July 31, 1914.

Frank Bookwalter, President.

Attest: *J. R. Suffern*, Village Clerk.

(SEAL.)

ORDINANCE NO. 51.

An Ordinance Disconnecting Certain Territory.

SECTION 1. *Be it Ordained by the President and Board of Trustees of the Village of Gardner*, That the following described lands, viz.:

The West half (W.1/2) of the South West Quarter (S.W.1/4) of Section Four (4), and the North Half (N.1/2) of the West Half (W.1/2) of the North West Quarter (N.W.1/4) of Section Nine (9) all in Township Thirty One (31) North, Range Eight (8) East of the Third Principal Meridian, in the County of Grundy and State of Illinois, lying within the corporate limits of the village of Gardner, and upon the border thereof, and not laid out into village lots or blocks, be, and the same are hereby disconnected from said village of Gardner, a petition for that purpose signed by the owners of a majority of the area of the

land above described, having been filed with the President of the Board of Trustees, accompanied by a certificate of the County Clerk of Grundy County, showing that all taxes and assessments due said village up to the time of presenting such petition were fully paid, said petition and certificate being in apparent conformity with the statute, and were filed more than 30 days before being acted upon.

SECTION 2. The Clerk is hereby instructed to file for record in the recorder's office of Grundy County, a copy of this ordinance, certified by the President of the Board of Trustees, and he also file a copy so certified in the office of the County Clerk of Grundy County.

SECTION 3. This Ordinance shall be in force and effect from and after its passage, approval and publication according to law.

SECTION 4. This Ordinance shall be known as Ordinance No. 51.

Passed by the Board of Trustees August 12, 1914.

Approved by the President August 12, 1914.

Published August 14, 1914.

Frank Bookwalter, President.

Attest: *Jas. R. Suffern*, Village Clerk.

(SEAL.)

STATE OF ILLINOIS, }
Grundy County } ss.
VILLAGE OF GARDNER, }

I, James R. Suffern, Village Clerk of the Village of Gardner, do hereby certify that the foregoing is a true copy of an Ordinance entitled "An Ordinance Adopting the Revised Ordinances of the Village of Gardner, and providing for the publication thereof, and the repeal of all Ordinances in conflict therewith," passed by the Board of Trustees of said Village at a regular meeting thereof, on the 13th day of July, A. D. 1914, and approved by the President of said Village on the 14th day

of July, 1914, and duly recorded on the records of said Village, and that the original of which the foregoing is a certified copy, is now on file in the Office of the Village Clerk of said Village of Gardner.

Witness my hand and the corporate seal of said Village, this 14th day of July, A. D. 1914.

James R. Suffern, Village Clerk.

(SEAL)

I, James R. Suffern, Village Clerk of the Village of Gardner, do hereby certify that as such Village Clerk I am the clerk of the Board of Trustees of said Village and the custodian of the journal of the proceedings of said Village board, and of the original ordinances passed by said Village board, and approved by the President of said Village, and do further certify that the foregoing ordinance published in this book, entitled, "An Ordinance Adopting the Revised Ordinances of the Village of Gardner," is a true and correct copy of an original ordinance of said Village entitled "An Ordinance Adopting the Revised Ordinances of the Village of Gardner," passed by the Village Board on the 13th day of July 1914, and approved by the President of said Village on the 14th day of July, 1914, and which original ordinance is now on file in my office.

In testimony whereof, I have hereunto subscribed my name and affixed the corporate seal of said village this 14th day of July, A. D. 1914.

James R. Suffern, Village Clerk.

(SEAL)

AN ACT to amend section 1 of article V of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of article V of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907, be amended so as to read as follows, viz.:

SECTION 1. The city council in cities, and the president and the board of trustees in villages, shall have the following powers:

First—To control the finances and property of the corporation.

Second—To appropriate money for corporate purposes only, and provide for payments of debts and expenses of the corporation.

Third—To levy and collect taxes for general and special purposes on real and personal property.

Fourth—To fix the amount, terms and manner of issuing and revoking licenses.

Fifth—To borrow money on the credit of the corporation for corporate purposes, and issue bonds therefor, in such amounts and form, and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to an amount, including existing indebtedness in the aggregate to exceed five (5) per centum on the value of the taxable property therein, to be ascertained by the last assessment for the State and county taxes previous to the incurring of such indebtedness; and before or at the time of incurring any indebtedness, shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years after constructing (contracting) the same.

Sixth—To issue bonds in place of or to supply means to meet maturing bonds, or for the consolidation or funding of the same.

Seventh—To lay out, to establish, open, alter, widen, extend, grade, pave or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds, and vacate the same.

Eighth—To plant trees upon the same.

Ninth—To regulate the use of the same.

Tenth—To prevent and remove encroachments or obstructions upon the same.

Eleventh—To provide for lighting of the same.

Twelfth—To provide for the cleansing of the same.

Thirteenth—To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas lights: *Provided, however,* that any company heretofore organized under the general laws of this State, or any association of persons organized or which may be hereafter organized for the purpose or manufacturing illuminating gas to supply cities or villages, or the inhabitants thereof, with the same, shall have the right by consent of the common council (subject to existing rights), to erect gas factories, and lay down pipes in the streets or alleys of any city or village in this State, subject to such regulations as any such city or village may by ordinance impose.

Fourteenth—To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalk in front of, or along the same, free from snow and other obstructions.

Fifteenth—To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury to any street, avenue, alley, or public ground.

Sixteenth—To provide for and regulate crosswalks, curbs and gutters.

Seventeenth—To regulate and prevent the use of streets, sidewalks, and public grounds for signs, sign posts, awnings, awning posts, telegraph poles, horse troughs, racks, posting hand bills and advertisements.

Eighteenth—To regulate and prohibit the exhibition or carrying of banners, placards, advertisements or hand bills in the streets or public grounds, or upon the sidewalks.

Nineteenth—To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

Twentieth—To regulate traffic and sales upon the streets, sidewalks and public places.

Twenty-first—To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation.

Twenty-second—To regulate the numbering of houses and lots.

Twenty-third—To name and change the name of any street, avenue, alley or other public place.

Twenty-fourth—To permit, regulate or prohibit the locating, constructing or laying a track of any horse railroad in any street, alley or public place; but such permission shall not be for a longer time than twenty years.

Twenty-fifth—To provide for and change the location, grade and crossing of any railroad.

Twenty-sixth—To require railroad companies to fence their respective railroads, or any portion of the same, and to construct cattle guards, crossings of streets and public roads, and keep the same in repair, within the limits of the corporation. In case any railroad company shall fail to comply with any such ordinance, it shall be liable for all damages the owner of any cattle or horses or other domestic animal may sustain by reason of injuries thereto while on the track of such railroad, in like manner and extent as under the general laws of this State, relative to the fencing of railroads; and actions to recover such damages may be instituted before any justice of the peace or other court of competent jurisdiction.

Twenty-seventh—To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property in the use of such railroads. To compel such railroads to raise or lower their railroad tracks to conform to any grade which may, at any time, be established by said city, and where such tracks run lengthwise of any such street, alley or highway, to keep their railroad tracks on a level with the street surface, and so that such tracks may be crossed at any place on such street, alley or highway. To compel and require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their railroad tracks so that filthy or stagnant pools of water cannot stand on their grounds or right of way, and so that the natural drainage of adjacent property shall not be impeded.

Twenty-eighth—To construct and keep in repair bridges, viaducts, and tunnels, and to regulate the use thereof.

Twenty-ninth—To construct and keep in repair culverts, drains, sewers and cesspools and to regulate the use thereof.

Thirtieth—To deepen, widen, dock, cover, wall, alter or change channel of water courses.

Thirty-first—To construct and keep in repair canals and slips for the accomodation of commerce.

Thirty-second—To erect and keep in repair public landing places, wharves, docks and levees.

Thirty-third—To regulate and control the use of public and private landing places, wharves, docks and levees.

Thirty-fourth—To control and regulate the anchorage, moorage and landing of all water craft and their cargoes within the jurisdiction of the corporation.

Thirty-fifth—To license, regulate and prohibit wharf-boats, tugs and other boats used about the harbor, or within such jurisdiction.

Thirty-sixth—To fix the rate of wharfage and dockage.

Thirty-seventh—To collect wharfage and dockage from all boats, rafts or other craft landing at or using any public landing place, wharf, dock or levee within the limits of the corporation.

Thirty-eight—To make regulations in regard to use of harbors, towing of vessels, opening and passing of bridges.

Thirty-ninth—To appoint harbor masters and define their duties.

Fortieth—To provide for the cleansing and purification of waters, water courses and canals, and the draining or filling of ponds on private property, whenever necessary to prevent or abate nuisances.

Forty-first—To license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements, and to revoke such license at pleasure.

Forty-second—To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all others pursuing like occupations, and to prescribe their compensation.

Forty-third—To license, regulate, tax and restrain runners for stages, cars, public houses, or other things or persons.

Forty-fourth—To license, regulate, tax or prohibit and suppress billiard, bagatelle, pigeon-hole or any other tables or implements kept or used for a similar purpose in any place of public resort, pin alleys and ball alleys.

Forty-fifth—To suppress bawdy and disorderly houses, houses of ill-fame or assignation, within the limits of the city and within three miles of the outer boundaries of the city; and also to suppress gaming and gambling houses, lotteries, and all fraudulent devices and practices, for the purpose of gaining or obtaining money or property; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

Forty-sixth—To license, regulate and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor, the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license: *Provided*, that the city council in cities, or presidents and boards of trustees in villages, may grant

permits to druggists for the sale of liquors for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance: *Provided, further*, that in granting licenses, such corporate authorities shall comply with whatever general law of the State may be in force relative to the granting of licenses.

Forty-seventh—The foregoing shall not be construed to affect the provisions of the charter of any literary institution heretofore granted.

Forty-eighth—And the city council in cities, and president and board of trustees in villages, shall also have the power to forbid and punish the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any minor, apprentice or servant or insane, idiotic or distracted person, habitual drunkard, or person intoxicated.

Forty-ninth—To establish markets and market-houses, and provide for the regulation and use thereof.

Fiftieth—To regulate the sale of meats, poultry, fish, butter, cheese, lard, vegetables, and all other provisions, and to provide for place and manner of selling the same.

Fifty-first—To prevent and punish forestalling and regrating.

Fifty-second—To regulate the sale of bread in the city or village; prescribe the weight and quality of bread in the loaf.

Fifty-third—To provide for and regulate the inspection of meats, poultry, fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other provisions.

Fifty-fourth—To regulate the inspection, weighing and measuring of brick, lumber, firewood, coal, hay, and any article or merchandise.

Fifty-fifth—To provide for the inspection and sealing of weights and measures.

Fifty-sixth—To enforce the keeping and use of proper weights and measures by vendors.

Fifty-seventh—To regulate the construction, repairs and

use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

Fifty-eighth—To regulate places of amusement.

Fifty-ninth—To prevent intoxication, fighting, quarreling, dog fights, cock fights, and all disorderly conduct.

Sixtieth—To regulate partition fences and party walls.

Sixty-first—To prescribe the thickness, strength, and manner of constructing stone, brick and other buildings and construction of fire escapes therein.

Sixty-second—The city council, and the president and trustees in villages, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings shall not be erected or placed, or repaired, without permission, and to direct that all and any buildings within the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent of the value, shall be torn down or removed and to prescribe the manner of ascertaining such damage.

Sixty-third—To prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stove-pipes, ovens, boilers, and apparatus used in and about any building and manufactory, and to cause the same to be removed or placed in a safe condition, when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing and prompting (promoting) fires; to prevent the deposit of ashes in unsafe places, and to cause all such buildings and enclosures as may be in a dangerous state to be put in a safe condition.

Sixty-fourth—To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other implements for prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

Sixty-fifth—To regulate and prevent storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in

stables, shops, and other places, and the building of bon-fires; also to regulate, restrain and prohibit the use of fireworks, fire-crackers, torpedoes, Roman candles, sky-rockets, and other pyrotechnic displays.

Sixty-sixth—To regulate the police of the city or village, and pass and enforce all necessary police ordinances.

Sixty-seventh—To provide for the inspection of steam boilers.

Sixty-eighth—To prescribe the duties and powers of a superintendent of police, policemen and watchmen.

Sixtyninth—To establish and erect calaboozes, bridewells, houses of correction and workhouses for the reformation and confinement of vagrants, idle and disorderly persons, and persons convicted of violating any city or village ordinance, and make rules and regulations for the government of the same, and appoint necessary keepers and assistants.

Seventieth—To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law, and with the consent of the county board.

Seventy-first—To provide by ordinance in regard to the relation between all the officers and employes of the corporation in respect to each other, the corporation and the people.

Seventy-second—To prevent and suppress riots, routs, affrays, noises, disturbances, disorderly assemblies in any public or private place.

Seventy-third—To prohibit and punish cruelty to animals.

Seventy-fourth—To restrain and punish vagrants, mendicants and prostitutes.

Seventy-fifth—To declare what shall be a nuisance, and to abate the same; and to impose fines upon parties who may create, continue or suffer nuisances to exist.

Seventy-sixth—To appoint a board of health, and prescribe its powers and duties.

Seventy-seventh—To erect and establish hospitals and medical dispensaries, and to regulate hospitals, medical dispensaries,

sanatoria and undertaking establishments, and to direct the location thereof.

Seventy-eighth—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Seventy-ninth—To establish and regulate cemeteries within or without the corporation, and acquire lands therefore [therefor], by purchase or otherwise, and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

Eightieth—To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs, and to impose a tax on dogs.

Eighty-first—To direct the location and regulate the management and construction of packing houses, renderies, tallow chandleries, bone factories, soap factories, and tanneries, within the limits of the city or village, and within the distance of one mile without the city or village limits.

Eighty-second—To direct the location and regulate the use and construction of breweries, distilleries, livery, boarding or sale stables, blacksmith shops, foundries, machine shops, garages, laundries and bathing beaches, within the limits of the city or village.

Eighty-third—To prohibit any offensive or unwholesome business or establishment within or within one mile of the limits of the corporation.

Eighty-fourth—To compel the owner of any grocery, cellar, soap or tallow chandlery, tannery, stable, pig-sty, privy, sewer or other unwholesome or nauseous house or place, to cleanse, abate or remove the same, and to regulate the location thereof.

Eighty-fifth—The city council or trustees of a village, shall have power to provide for the taking of the city or village census; but no city or village census shall be taken by authority of the council or trustees oftener than once in three years.

Eighty-sixth—To provide for the erection and care of all public buildings necessary for the use of the city or village.

Eighty-seventh—To establish ferries, toll bridges and license and regulate the same, and from time to time fix tolls thereon.

Eighty-eighth—To authorize the construction of mills, mill-races, and feeders on, through or across the streets of the city or village, at such places and under such restrictions as they shall deem proper.

Eighty-ninth—The city council shall have power, by condemnation or otherwise, to extend any street, alley or highway over or across, or to construct any sewer under or through any railroad track, right of way, or land of any railroad company (within the corporate limits); but where no compensation is made to such railroad company the city shall restore such railroad track, right of way or land to its former state, or in a sufficient manner not to have impaired its usefulness.

Ninetieth—The city council or board of trustees shall have no power to grant the use of or the right to lay down any railroad tracks in any street of the city to any steam, dummy, electric, cable, horse or other railroad company, whether the same shall be incorporated under any general or special law of the State, now or hereafter in force, except upon the petition of the owners of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes, and when the street or part thereof sought to be used shall be more than one mile in extent, no petition of land owners shall be valid unless the same shall be signed by the owners of the land representing more than one-half of the frontage of each mile and of the fraction of a mile, if any in excess of the whole miles measuring from the initial point named in such petition of such street or of the part thereof, sought to be used for railroad purposes.

Ninety-first—To tax, license and regulate auctioners, distillers, breweries, lumber yards, livery stables, public scales, money changers and brokers.

Ninety-second—To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams and horses.

Ninety-third—To regulate and prohibit the keeping of any lumber or coal yard, and the placing or piling or selling any lumber, timber, wood, coal or other combustible material, within the fire limits of the city.

Ninety-fourth—To provide by ordinance, that all the paper, printing, stationery, blanks, fuel and all the supplies needed for the use of the city, shall be furnished by contract, let to the lowest bidder.

Ninety-fifth—To tax, license and regulate second-hand and junk stores and yards, and to forbid their purchasing or receiving from minors without the written consent of their parents or guardians, any article whatsoever, and to direct the location thereof.

Ninety-sixth—To direct, license and control all wagons and other vehicles conveying loads within the city, or any particular class of such wagons, and other vehicles, and prescribe the width and tire of the same, the license fee when collected to be kept as a separate fund and used only for paying the cost and expense of street or alley, improvement or repair.

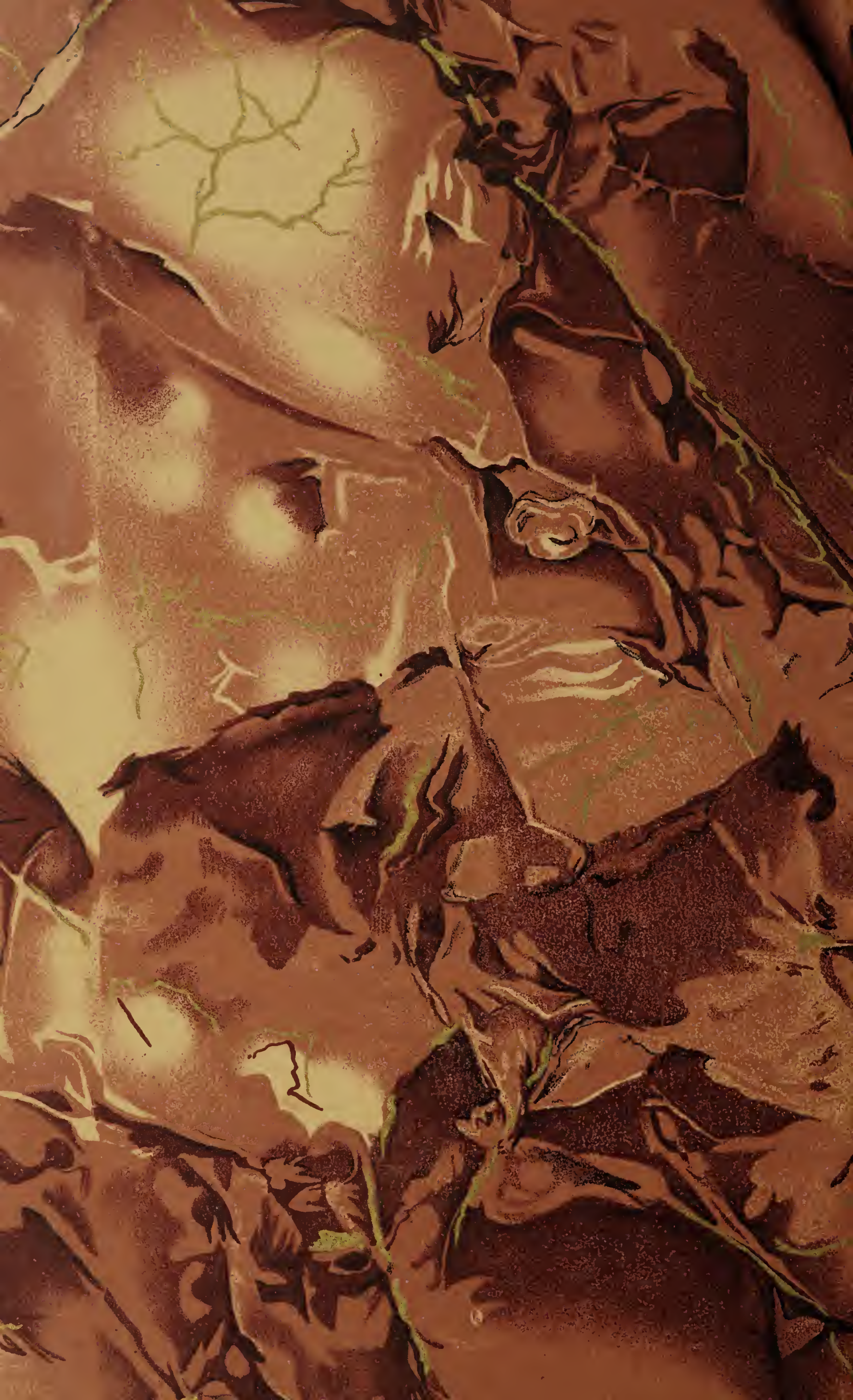
Ninety-seventh—To acquire, in the manner now or hereafter provided by law for the taking of private property for public use, private lands bordering upon the public or navigable waters, useful, desirable or advantageous for bathing beaches and recreation piers.

Ninety-eighth—To pass all ordinances, rules, and make all regulations, proper or necessary, to carry into effect the powers granted to cities or villages, with such fines or penalties as the city council or board of trustees shall deem proper: *Provided*, no fine or penalty shall exceed \$200.00, and no imprisonment shall exceed six months for one offence.

APPROVED June 5, 1911.

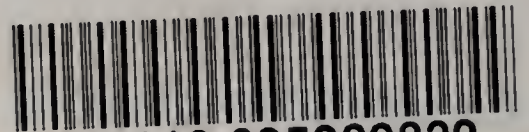
INDEX

Ordinance No.	Page	Ordinance No.	Page
49 Adopting Revised Ordinances	110	22 Minor and Intoxicat- ed Persons	51
50 Annual Appropria- tion Bill	113	30 Misdemeanors	69
15 Automobiles	36	8 Municipal and Fiscal Year	23
32 Billiards	81	31 Nuisances	77
11 Board of Local Im- provements	27	5 Officers	9
23 Buying or Procuring for Minor	52	26 Peddling Beer	54
45 Calaboose	103	20 Permit to Druggists	49
42 Chicago Telephone Company	100	24 Playing Cards	53
44 Cigarettes	102	10 Police Department	25
36 Curbs on Streets ...	87	9 Police Magistrate ..	24
43 Defining Ordinances	101	28 Prohibiting Sale to Minors of Certain Books	67
51 Disconnecting Cer- tain Territory	114	48 Public Safety	109
19 Dram Shops	42	7 Publication of Ordin- ances	21
21 Drinking in Adja- cent Rooms	50	17 Railroads and Speed of Trains	39
47 Dogs	108	16 Safety at Railroad Crossings	38
3 Elections	6	34 Selling Property and Exhibitions	85
41 Electric Light Ord- inance	97	33 Shows and Exhibi- tions	84
18 Explosives	41	46 Streets and Alleys	104
38 Fire Department ...	89	6 Style of Ordinances	20
39 Fire Limits	92	27 Suits and Prosecu- tions	55
40 Fire Marshall	96	12 Taxes	28
37 Fire Works	88	1 Territory	5
13 Health	30	35 Undrawn Poultry &c.	87
14 Impounding Animals	32	29 Vagrants	68
25 Liability for Support	54	2 Village Seal	6
4 Meetings	8		





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REVISED ORDINANCES OF THE VILLAGE OF GAR



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